



REPUBLIC OF NAMIBIA

REVISED NATIONAL QUALITY POLICY

2020 – 2025

Ministry of Industrialisation and Trade
Revision of the National Quality Policy 1999

ACKNOWLEDGEMENTS

Many organizations and individuals contributed in workshops, discussions and the verification workshop to the revision of the 1999 National Quality Policy (NQP) and the re-drafting thereof.

I therefore wish to acknowledge the input from the Ministries and their agencies that were involved preparing this policy as well as the National Quality Infrastructure (NQI) organizations and business and industry associations.

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Thank you.



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FOREWORD

Namibia's ambitions for the future are articulated in the Vision 2030 document. It is a vision that guides the nation to make deliberate efforts to improve the quality of life of its people to the level of its counterparts in the developed world by 2030. Hence, the Government has been pursuing Vision 2030 in many ways through supporting policies and concomitant activities. Throughout the world, countries are pursuing similar visions and this can only be achieved amongst others by harnessing the potentials of the global trading system for the benefit of the nation.

One of the major policies being implemented by the Ministry of Industrialisation and Trade is the Industrial Policy finalized in 2012. Of similar stature is the Food Safety Policy approved by Cabinet in 2014. Both of these and a number of other policies deal with standards and their implementation in the regulatory domain in the form of technical regulations. But, the overall coordination and a common approach to be followed by all Ministries and their agencies in respect of standardization and technical regulation, is still lacking. This is a typical situation in many developing economies. Hence, in many countries the approach to standardization and especially technical regulation is now increasingly being coordinated through a National Quality Policy.

As regards the external environment, Namibia is a signatory of the legal texts of the Uruguay Round of multilateral trade negotiations, and has to comply with its obligations regarding the WTO Agreements on Technical Barriers to Trade (TBT) and Sanitary and Phyto-sanitary (SPS) measures. Namibia is a member of SADC and subject to its various protocols including the Trade Protocol and its TBT Annex. All of these deal with standards and more importantly with their implementation in the regulatory domain, i.e. technical regulation and SPS measures.

Namibia has been progressive in that it approved and implemented a National Quality Policy already in 1999, and it has served the country well. Notable achievements of its implementation include the promulgation of the Standards Act 2005 and the establishment of the Namibian Standards Institution (NSI) in 2008 as the national standards body, the implementation of legal and trade measurement controls, the establishment of some testing and certification capacities, and the usage of the SADC Accreditation Service (SADCAS) as the *de facto* national accreditation body. All of these are necessary fundamentals of an effective quality infrastructure.

Since the approval of the original National Quality Policy in 1999, there have been substantive changes in the landscape that have to be considered anew at the policy level. These include a growing population and economy, a greater emphasis on better regulation, market operation and trade as an enabler for development, and regional and global integration. All of this means that Namibia's quality infrastructure and its technical regulation systems must demonstrably meet international good practices and be accepted by its main trading partners. A useful beginning has been

made with the establishment of a national quality infrastructure, but Namibia still has a long way to go regarding an effective approach to technical regulation. These challenges have been considered in the development of this revised National Quality Policy.

The National Quality Policy is not the domain of a single government organ – in Namibia's case, the Ministry of Industrialisation and Trade. Instead, that domain spans across a range of Ministries and their agencies, as well as across various institutions and private sector stakeholders. In this regard, Government continues to believe that the private sector, in particular the domestic private sector, remains the engine of economic growth and job creation. Government, will, therefore, do whatever is necessary to support the private sector in obtaining the necessary quality infrastructure services, and thereby allow it to flourish within the context of equitable national socio-economic development.

Through this National Quality Policy, the Government of the Republic of Namibia commits to review, re-engineer and further strengthen the national quality infrastructure in accordance with international good practices and to gain the required recognition for its services. The policy also includes high level statements on the country's technical regulations framework from which a strategy for implementation will be developed in the near future. Hence the National Quality Policy also serves as a catalyst for the development and implementation of a technical regulations framework.

 

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EXECUTIVE SUMMARY

The 1999 NQP served Namibia well. Notable achievements of its implementation include the promulgation of the Standards Act (Act No. 18, 2005) and the establishment of the Namibian Standards Institution (NSI) in 2008 as the national standards body, the implementation of legal and trade measurement controls, the establishment of some testing and certification capacities, and the usage of the Southern African Development Community Accreditation Service (SADCAS) as the *de facto* national accreditation body. The local and external environment, however, has changed appreciably since then. The 1999 NQP therefore needed to be revised.

The revised NQP builds on the successes of the previous policy. The NSI is re-confirmed (i) as the national standards body developing and publishing national standards, (ii) in its role as custodian of the national measurement standards, and (iii) as a supplier of conformity assessment services. Namibia utilises SADCAS as its *de facto* national accreditation organization, and this will remain so for the near future. Government will review the situation from time to time and may initiate the establishment of a national accreditation body should it be expedient to do so. Government will continue building capacity in public laboratories, but the private sector is invited to do so as well. Following global trends, the private sector may provide most of the conformity assessment services in Namibia in the future. International recognition of the various NQI organizations has been made a priority to ensure that Namibian products are tested once certified once and accepted everywhere.

Government is committed to a comprehensive regulatory re-engineering exercise with regard to technical regulations. In the first instance, Government will decide on the optimum number of regulatory agencies the country needs and can afford. Secondly, Government will establish and promulgate a Technical Regulation Framework (TRF) to be followed by all Organizations/Ministries/Agencies (OMAs). This Framework will meet all the relevant World Trade Organization (WTO) and South African Development Community (SADC) obligations of Namibia. Thirdly, to facilitate coordination with regard to technical regulation development and implementation amongst OMAs and the NQI, a Technical Regulation Coordination Office (TRCO) will be established in the National Planning Commission, Attorney General, or the Office of the Prime Minister.

(iv)

The implementation of the NQP will require a vast number of skilled and experienced people. Government will therefore spearhead the establishment of the appropriate

training facilities in tertiary education and private industry is invited to contribute much in developing this people capacity. Government will also spearhead the establishment of a quality culture within industry and society, to create the pull effect for quality of products and services which is not yet well developed.

TBT Technical Barriers to Trade
TBTEG TBT Expert Group
TRCO Technical Regulation Coordination Office
TRF Technical Regulation Framework
USA United States of America
WHO World Health Organization
WTO World Trade Organization

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1 INTRODUCTION AND SCOPE

Introduction

1. The Government of the Republic of Namibia is vigorously pursuing the achievement of Vision 2030 which envisages Namibia as a country with a quality of life for all its people at the level of its counterparts in the developed world by the year 2030. Trade is of paramount importance to achieve this level of socio-economic development, and therefore has to increase substantively. This in turn demands that the export performance of Namibia is improved, and the Government therefore needs to implement policies that facilitate industrial development and export performance.
2. The globalization of markets continues at a relentless pace. Purchasers and Government alike demand products that comply with increasingly higher requirements to meet expectations of consumers and to integrate seamlessly into the manufacturing value chains that span many countries. But, enterprises in Namibia face daunting challenges in accessing these global markets. Over and above the financial, management, logistics and skills challenges, they also have to have access to a supportive and internationally recognized quality infrastructure that can provide the independent attestation of product or service quality, without which access to the international markets remains a challenge.
3. For historical reasons, the technical regulation regimes of many economies are of an *ad hoc* nature, fragmented, non-compliant with international requirements and which overlaps amongst various regulatory agencies. These agencies, in trying to control the integrity of products create bureaucratic chaos for suppliers, and add unnecessary transaction costs rendering products non-competitive. In addition, many of the technical regulation regimes are in-effective, i.e. compliance is not enforced constituting a major impediment to trade and this is largely also the situation in Namibia.
4. The technical regulation regime and the national quality infrastructure are interwoven in complex ways that should not be separated. Hence, the Government realises that it cannot review only the one but it has to review the other as well and address the challenges in a holistic manner.

Scope

5. The scope of this National Quality Policy (NQP) is aligned with the scope of the WTO Agreement on Technical Barriers to Trade (WTO TBT Agreement) and with its counterpart in the SADC Protocol on Trade, the TBT Annex. This policy deals with the development and implementation of standards, as well as their use as the basis for technical regulation over a wide range of goods and services. The provision of conformity assessment services in relation to the implementation of standards and technical regulations is provided for, as well as metrology and accreditation activities in support thereof.
6. The Food Safety Policy of Namibia deals with food safety and food security, and it correlates with the WTO Agreement on Sanitary and Phyto-sanitary measures (WTO SPS Agreement). Furthermore, it also includes TBT measures related to food items not within the scope of the WTO SPS Agreement. The WTO TBT and SPS Agreements are by definition mutually exclusive, but are supportive of each other. In similar manner, the Namibia Food Safety Policy (2014) and this National Quality Policy are supportive of each other. The national quality infrastructure serves both domains, namely the food safety domain and the manufactured goods domain.

7. Other areas of Government intervention, such as the quality of education and medical services, and the integrity of engineering services which make use of the services offered by the National Quality Infrastructure (NQI), are important for the effective and efficient implementation of the National Quality Policy (NQP).

2 ECONOMY AND TRADE ENVIRONMENT

8. The economic performance of Namibia since independence in 1990 has been good in many respects. The real GDP growth has been positive for most of the time. The economy's average growth rate is respectable when compared to other Sub-Sahara countries. However, when compared to the more dynamic and faster-growing economies of the South East Asia, Namibia's economic development has much room for improvement.
9. The economy expanded at a stronger rate than the population growth rate, resulting in a reclassification of Namibia as an upper-middle-income country by the World Bank and the United Nation agencies. While this is a worthy achievement, it should be noted that GDP per capita hides a considerable level of inequality in Namibian society. Namibia remains one of the most unequal countries in the world with a consumption Gini coefficient of 0.597¹ in 2010 (cf. World Bank 2016).
10. In 2013, Namibia was named the top emerging market economy in Africa and the 13th best in the world (cf. Bloomberg - financial software, data, and media company based in New York). Only four African countries made the Top 20 Emerging Markets list in March 2013, and Namibia was rated ahead of Zambia (14th), South Africa (15th) and Morocco (19th). The data came from financial-market statistics, IMF forecasts and the World Bank. The countries were also rated on areas of particular interest to foreign investors: the ease of doing business, the perceived level of corruption and economic freedom.
11. In order to attract foreign investment, the Government has made improvements in reducing red tape resulted from excessive government regulations making the country one of the least bureaucratic places to do business in the region. However, Namibia still ranks only 108th out of 190 economies in terms of ease of doing business (cf. World Bank - Doing Business, 2016).

3 INTERNATIONAL AND REGIONAL CONTEXT

12. Namibia is a WTO member and signatory to all its Agreements, including the WTO TBT Agreement, and the country has to abide by its provisions. Even though the WTO TBT Agreement recognizes that countries have the right to establish and implement measures to protect human, animal or plant life or health or the environment. The principles of the WTO TBT agreement include provisions to ensure that standards and technical regulations, including the testing and certification to support implementation, do not create unnecessary obstacles to trade.
13. As a SADC member, Namibia also has to comply amongst others, with the SADC Protocol on Trade. The TBT Annex of the Protocol on Trade is aligned with the WTO TBT Agreement, but

¹ A most equal society would have a Gini coefficient approaching 0, whereas the most unequal society would have a Gini coefficient approaching 1.

includes more details as regards the issues as applicable to the SADC region. Principles that are addressed in both the WTO TBT Agreement and the TBT Annex of the SADC Trade Protocol include: (i) Same treatment of imported products from all WTO and SADC members, (ii) imported and domestic products to be treated the same, (iii) standards, conformity assessment procedures and technical regulations should not be disguised trade barriers, (iv) technical regulations should achieve their objectives by means that minimize restrictions to trade, and (v) draft standards and technical regulations should be published timeously to enable other WTO and SADC Member States to provide comments.

14. Namibia is a member of the Southern African Customs Union (SACU). The aim of SACU is to maintain free interchange of goods between the member States Botswana, Lesotho, Namibia, South Africa and Swaziland. SACU provides for a common external tariff and a common excise tariff to this common customs area. Customs and excise revenue is shared among members according to a revenue-sharing formula as described in the agreement. SACU revenue constitutes a substantial share of the state revenue of the countries other than South Africa. SACU has the Economic Partnership Agreement (EPA) with the European Union. Furthermore, Namibia is a signatory to the COMESA-EAC-SADC Tripartite Free Trade Agreement signed in 2015.
15. As a SADC member, Namibia is obliged to participate actively in the SADC Technical Cooperation Structures as provided for in the TBT Annex of the SADC Trade Protocol. These include SADCSTAN (standards), SADCA (accreditation), SADC MET (scientific/industrial metrology), SADC MEL (legal metrology), SADCTRLC (technical regulation liaison committee), SADCTBTSC (TBT stakeholder's committee) and TBTEG (TBT Expert Group). The aim of these cooperation structures is to facilitate the smooth implementation of the TBT Annex and to report progress or lack thereof to the SADC Committee of Ministers of Trade on an annual basis.

4 SITUATIONAL ANALYSIS

Policy environment

16. Namibia has promulgated a number of policies that touch on standards and their implementation especially in the regulatory domain. An important policy in this regard is Namibia's Industrial Policy approved by Cabinet in 2013 ably supported by the 4th National Development Plan. The Industrial Policy incorporates a number of principles that would require the support of an effective and efficient quality infrastructure and technical regulation system. These principles include a predictable regulatory environment, support for the MSME sector and fostering innovation.
17. A stable and predictable regulatory environment is necessary for industrial development. The Government is committed to continuously review the industrial regulatory environment to ensure it is aligned with good international practices in order to enhance the competitiveness of the Namibian economy from a regulatory perspective. The technical regulation regime is a very important element that has to comply with international and regional requirements, and which has to be trade friendly without sacrificing the safety and health of the population, fauna and flora and the environment.
18. The robustness of the MSME sector as a vehicle for job creation and economic development is of paramount importance to the country. The development and promotion of the MSME sector therefore forms a core component of Namibia's Industrial Policy. It has been shown that the MSME sector needs the services of an effective and internationally recognized National Quality Infrastructure (NQI) maybe more so than multinational organizations that have access to such

services in other countries. Such services should be affordable for the MSME sector to be able to access them. This is a significant challenge the quality infrastructure organizations have to address within the context of their own financial sustainability.

19. Namibia aspires to be a knowledge-based economy. To become more innovative Namibia needs to improve the level and quality of education, strengthen research performance, and promote innovation and knowledge transfer in all corners of the country. Namibia needs to make full use of information and communication technologies to ensure that innovative ideas can be turned into new products and services that create growth and quality jobs, and help address other societal challenges. All of these require the active support of the quality infrastructure in terms of standards, metrology, accreditation, testing and certification.
20. The Namibia Food Safety Policy was approved in 2014. This policy is based on recommendations of the World Health Organization (WHO) and the Food and Agriculture Organization (FAO) of the United Nations. It follows a modern “farm to fork” approach based on risk assessment and prevention, and has allocated specific responsibilities to a number of Ministries whose activities will be coordinated by a Namibia Food Safety Council. The Standards Act (Act No. 18 of 2005) and the implementation in the regulatory domain, is a central tenet of the policy. The Namibian Standards Institution (NSI) will have an important role to play in this regard.

National Quality Infrastructure

21. The National Quality Infrastructure (NQI) is defined as the totality of the institutional framework (public and private) required to provide the standards, metrology (scientific, industrial and legal), accreditation and conformity assessment services necessary as acceptable evidence that products and services meet defined requirements, be it demanded by authorities (technical regulation) or the market place (contractually or inferred).
22. NSI is one of the main NQI organizations in the country. The NSI was established through the Standards Act (Act No. 18 of 2005), and it became fully operational in 2008 with the primary aim of developing and publishing national standards and providing metrology services as per the Trade Metrology Amendment Act (Act No. 17 of 2005).
23. The NSI provides selected testing services, especially for fish and fishery products which are exported. These tests are conducted at its biotoxins and microbiology laboratories at Walvis Bay. Furthermore, NSI is also rendering food safety technical support to the aquaculture, fishing and other industries through its Inspection and Certification Division. The NSI is the Competent Authority responsible for the testing and certification of fish and fishery products to the European Union, and is regularly visited by DG SANCO of the European Union in this regard. The laboratories in Walvis Bay have been accredited to ISO/IEC 17025 by SANAS since 2011.
24. The NSI offers product and system certification to the Namibian business community according to the requirements of ISO/IEC 17065 and ISO/IEC 17021 respectively. These services have not been accredited yet. Certification provides organizations with the assurance that their products and services consistently comply with certain predefined standards, customer requirements and applicable legislation.
25. The NSI metrology laboratories were inaugurated in 2011 after being transferred from the then Ministry of Trade and Industry where they operated as a government department. The laboratories have been accredited for selected mass and volume calibration services to ISO/IEC 17025 in 2013 in terms of the SANAS/SADCAS twinning project. Other metrology and calibration services are still to be accredited.

26. Another important NQI organization is the Central Veterinary Laboratory (CVL) in Windhoek. The CVL is involved in the testing of meat and meat products. The CVL is visited by various international inspection authorities (Food Safety and Inspection Services, FSIS etc.) to ensure their continued compliance. The CVL has been accredited to ISO/IEC 17025 by SADCAS since 2013 in terms of the SANAS/SADCAS twinning agreement.
27. Major challenges for the Namibian NQI are:
- NQI is not well established and coordinated due to high cost, high level of technical know-how required;
 - There is no national technical regulation framework in place;
 - Unavailability of national standards;
 - Low level of awareness and participation in both the public and private sectors;
 - Few conformity assessment bodies are accredited;
 - Limited participation in regional and international standardisation activities;
 - General lack of financial resources, skilled human resources and technical infrastructure; and
 - Emphasis is more on import/ exports and not on local products/ services.

Technical Regulation System

28. There is no national technical regulation framework and no authority responsible for coordination of the development and implementation of technical regulations to ensure that Namibia meet its obligations as regards the WTO TBT Agreement and the SADC Protocol on Trade TBT Annex, hence the O/M/As develop their own regulations according to their own policies and procedures inevitably leading to differences and duplications over time. Furthermore, it is not known with certainty whether the development of technical regulations complies with the WTO TBT agreement.
29. The development and implementation of technical regulations has to follow a specific legislative process which includes the development of a policy, then an Act of Parliament followed by the promulgation of the relevant regulations. Few, if any, base the development of technical regulations on risk impact assessments (RIA) as good regulatory practice would require.
30. Development of technical regulations should be based on standards as required by the WTO TBT Agreement and the SADC Protocol on Trade TBT Annex. There are instances where Ministries have utilised standards in this way, but there are also many instances where this requirement has not been followed. All draft technical regulations need to be notified to the WTO TBT Agreement Secretariat 60 days before implementation, for other WTO members to comment. For the last two years, Namibia has not notified any. Namibia still has a long way to go before it complies fully with the WTO TBT Agreement.

5 RATIONALE

31. The National Quality Policy (NQP) is a Public Private Partnership (PPP) that would provide the private sector with supportive standards, metrology and accreditation services, which, in the interests of the public and for the good of the nation, is established and maintained by Government funding. These three services are the fundamentals that allow affordable conformity assessment services to develop and to gain international recognition, thereby facilitating marketing of products under the slogan "Tested once, certified once, accepted everywhere".

32. The NQP supports the Government's desire to effectively manage their regulatory responsibility as regards the safety and health of the people of Namibia, its fauna and flora and its environment. At the same time, the need of those that are being regulated, the industry and suppliers, to have a transparent and stable regulatory system without having to deal with unnecessary bureaucracy on a day-to-day basis, will be taken care of.

6 VISION

33. The Government will build on the progress achieved in establishing a National Quality Infrastructure (NQI), further strengthen it where it is a common good for the nation and ensure that it meets international standards. The Government will focus on the scope and technical competency of the NQI to ensure that the proper environment exists for national goods and services to gain a competitive edge in international markets, thereby leading to expanded exports and hence sustainable socio-economic development.
34. At the same time, the Government will embark on a programme of regulatory reform as regards to technical regulations and will develop and implement a common, national approach to technical regulations across all O/M/As that will fully meet WTO TBT Agreement and SADC Protocol on Trade TBT Annex requirements which will be acceptable to the main trading partners of Namibia. The overlaps and gaps in the current technical regulation regimes will be dealt with in order to limit unnecessary trade barriers to an absolute minimum without compromising the safety and health of the people of Namibia, its fauna, flora and environment.

7 OBJECTIVES

Primary objective

35. The primary objective of the NQP is a balanced approach to two equally important facets. Firstly, it is to ensure that goods and services emanating from or traded in Namibia are designed, manufactured and supplied in a manner that match the needs, expectations and requirements of the purchasers and consumers as well as those of the regulatory authorities in the local as well as in the export markets. Secondly, the safety around homes, public places, work places and the protection of fauna, flora and the environment should not be compromised. This primary objective is underpinned by four supporting objectives, as indicated below.

Supporting objectives

36. Underpinning the primary objective is the establishment, development and maintenance of metrology, standardization, accreditation, inspection, testing and certification infrastructure in accordance with Namibia's needs, to support the application of its techniques, practices and service provision to demonstrate compliance with international standards throughout.
37. In parallel to the establishment of the NQI, the technical regulation regime of Namibia including its related legislation, will be reviewed and re-engineered to fully meet requirements of the WTO TBT

Agreement, the SADC Protocol on Trade TBT Annex and international best practices. This entails amongst others the development and implementation of a common national Technical Regulation Framework (TRF) which includes the establishment of effective cooperation amongst the NQI organisations and the national regulatory authorities with their international counterparts.

38. The service delivery of the NQI is totally dependent on a trained and skilled workforce. The same applies to the implementation of the national TRF. Hence, developing the human resources necessary to support the various standardization, quality and technical regulation programmes is a central theme throughout the NQP.
39. In support of the primary objective, implementation of the NQP should raise the quality consciousness amongst both the suppliers and the consumers. It is an undertaking by both the public and the private sector to introduce and maintain a quality culture in public life and throughout society.

8 NATIONAL QUALITY INFRASTRUCTURE (NQI)

General provisions

40. The Government has an enabling, coordination and educational role in the implementation of the NQP. It outlines the vision, promulgates the policy and manages the general framework that will govern the place and activities of the concerned parties. The Government has the responsibility to establish and maintain standards, metrology and accreditation as the fundamental elements of the NQI, whereas conformity assessment service provision will be open to both public and private organizations that are technically competent.
41. The private sector has an important role to play in the implementation of the NQP. It has to be actively involved in the governance and strategy of the NQI organizations and in the development of national standards. It has to ensure the quality of its own products and services are in accordance with these National Standards and in the medium to long term establish sector-specific accredited conformity assessment bodies as needed.
42. In order to create an environment that would be conducive for the establishment and proper functioning of an effective, efficient TRF and to minimize market failures, the Government is committed to carry out a profound restructuring of the technical regulation regime. The Government will conduct a full review of the current legislation to align it with international obligations, create new structures where necessary to ensure that the appropriate regulatory authorities are established and that their capacity is developed and assured in the long term.
43. To create a quality culture in the Namibian public and private domains the Government will promote quality awareness campaigns. It will further provide for the integrated approach to quality management in the public sector and promote the support and the creation of mechanisms or institutions that contribute to awareness raising and knowledge dissemination regarding quality to all the segments of society.

Standards

44. With regard to national standards as the initial building block of most quality related activities, the Government reaffirms the position of the NSI as the national standards body mandated to develop

and publish all national standards as per the Standards Act (Act No. 18 of 2005). NSI may recognize other organizations as Standards Development Organizations (SDOs) provided that they meet the requirements of the WTO TBT Agreement Annex 3 and NSI guidelines and rules, however, the publication of such standards remains with the NSI.

45. NSI provides the framework, guidelines and rules required to develop and publish national standards and other normative documents on a national level. The Institution should ensure that the standards development process is a voluntary activity based on demonstrated needs of the authorities, industry and society. The process must be a participatory and transparent process based on achieving consensus amongst stakeholders. The Institution will also promote the adoption of relevant international and regional standards, and wherever possible and strategically necessary, participate actively in standards' development at regional and international level.
46. NSI and the SDOs will establish the relevant technical committees, which will develop national standards in compliance with approved guidelines and rules. Ministries, regulatory agencies, academic and scientific institutions should commit themselves to participate in these committees, along with individual or organized industry, traders, suppliers and civil society (NGOs and other specialized associations).

Metrology

47. To strengthen the Namibian metrological framework as one of the fundamental building blocks of the quality infrastructure, Government will strengthen the capacity of the metrology laboratory established within the NSI. Partnerships, based on scientific metrology systems should be established between NSI and Designated Reference Institutes (DRIs) that are technically competent in specialised fields of measurement (e.g., chemistry, radiation, virology) in order to maintain national measurement standards that can be utilized as the starting point for the provision of a reliable measurement service across all disciplines required within Namibia.
48. The NSI and all DRIs will, in consideration of the demonstrated needs of trade and industry sectors and the authorities and within their capabilities, link up with the international metrology system through the relevant regional metrology organizations. This linkage will ultimately be demonstrated through entries of their Calibration and Measurement Capabilities (CMCs) in the recognition system (i.e. Key Comparison Data Base – KCDB) administrated by the Bureau Internationale de Poids et Mésures (BIPM).
49. The NSI will ensure that a national calibration service is established and continuously improved to diffuse the national measurement standards into industry, authorities and society, thus ensuring that all measurements emanating from Namibia are acceptable in trade and law enforcement. Calibration services can be provided by the NSI and other public or private calibration laboratories provided that their calibration equipment shall be traceably calibrated to the national measurement standards kept by the NSI, DRIs or another national metrology laboratory with known and recognized measurement capability. All calibration laboratories shall be accredited against ISO/IEC 17025.
50. To ensure the equitable utilization of measurements not only in trade, but also in law enforcement, health services and environmental management, Government will strengthen the weights and measures activities of the NSI to become a fully-fledged Legal Metrology Department. The Legal Metrology Department shall have the responsibility to type approve, calibrate and verify measurement equipment falling within the scope of its regulations. The Department shall ensure protection of consumers by controlling pre-packaging operations of specified products, all of which are based either on international or regional standards such as the Recommendations of the Organisation Internationale de Métrologie Légale (OIML), or SADC MEL.

Accreditation

51. As the third fundamental component of the quality infrastructure, namely to facilitate independent attestation of the technical capabilities of the conformity assessment service providers to the satisfaction of the local and foreign markets and authorities, Government actively supports the SADC Accreditation Service (SADCAS) through financial commitments at the SADC level, and accepts it as the *de facto* national accreditation body.
52. Government will intermittently review its position regarding SADCAS and depending on changed circumstances may consider the establishment of a national accreditation body. Should such a decision be made, Government will promulgate the required legislation, commit to support it financially, arrange for a twinning partner accreditation body and do everything in its power to have it recognized through International Laboratory Accreditation Cooperation (ILAC) and International Accreditation Forum (IAF).

Conformity assessment

53. The overall objective of conformity assessment services is to demonstrate the quality of products and services independently from the manufacturer or the supplier. Hence, conformity assessment service providers shall pay attention to national needs, be transparent, be non-discriminatory and avoid unnecessary barriers to trade. Their activities shall be based on international standards and guidelines. They shall favour mutual recognition arrangements that would minimize retesting or recertification, thereby helping to reduce conformity assessment costs.
54. Testing and inspection services, certification for technical regulations in the market place may be provided by laboratories, inspection and certification bodies in both the private and public domain. The Government is supportive of the development of private sector conformity assessment bodies and will utilise their services in technical regulation and public procurement provided that they can demonstrate their technical capability through accreditation. The same applies to public sector conformity assessment bodies.
55. In order to provide conformity assessment services especially to the MSME sector, the Government will establish, maintain and continuously improve the conformity assessment service providers and all quality infrastructure related institutions in the public domain. These would include inspection agencies, testing laboratories and certification bodies. The public sector conformity assessment bodies will however, operate in accordance with established business principles so as to not distort the market.
56. The Government will utilise Namibian Standards to the fullest extent possible in state purchases and will demand independent proof of compliance of delivered products and services with relevant standards through an appropriate mix of inspection, testing and certification. Government may establish incentive schemes for enterprises that distinguish themselves in the process of quality improvement through product and/or system certification.

9 TECHNICAL REGULATIONS

Government commitment

57. Mindful of the requirements of the WTO TBT Agreement and the SADC Protocol on Trade TBT Annex, Government will ensure that technical regulations are developed only for legitimate reasons. The Government shall ensure that imported products are accorded equal treatment. Care shall be taken that technical regulations do not constitute unnecessary barriers to trade and that all relevant notification requirements for technical regulations *viz. a viz.* the WTO and the SADC Secretariats are fulfilled.
58. The Government will embark on a programme of regulatory reform in order to limit the regulatory burden on suppliers to an absolute minimum without compromising the health and safety of the people of Namibia, its flora and fauna and environment. As part of the regulatory reform programme, the Government will develop and promulgate a national TRF that will provide guidance to Ministries and their agencies as regards the development and implementation of technical regulations, and the use of standards, conformity assessment and the imposition of sanctions in the same.
59. This TRF will be followed by O/M/As, and all new technical regulations will be evaluated against it before being promulgated and implemented. Ministries will be required to review the technical regulations within their sphere of responsibilities already on the statute books for compliance with the TRF within five years of it being promulgated, and re-affirm, amend, revise or withdraw them as relevant.
60. Each Ministry is responsible for the development of technical regulations within its sphere of accountability according to the TRF. This includes conducting a proper RIA to determine whether a market failure exists, whether a technical regulation is the appropriate Government response, whether the socio-economic benefits outweigh the costs and whether it is technically feasible to implement. Each Ministry is also responsible to ensure that the appropriate information is provided to the Ministry of Industrialisation and Trade (MIT) for notification to the WTO TBT Secretariat and the SADC Secretariat.

Technical requirements

61. The technical requirements of the technical regulations shall be based on standards (international, national or regional harmonised texts) where these are available and suitable. The technical requirements will be referenced in such a way that technological developments at the international level are incorporated as early as possible.

Conformity assessment

62. Where conformity assessment is required in terms of the implementation modalities of technical regulations, the Government is committed to liberalize the provision thereof and allow conformity assessment bodies in both the public and private sector to provide such services. Such conformity assessment bodies shall be appropriately accredited, and where the relevant Ministry so decides, also designated by said Ministry for specified technical regulations. Ministries shall guard against the establishment of a monopolistic situation of only one conformity assessment

body being accepted, whether legally or perceptually. Multilateral recognition arrangements in regard of conformity assessment at the SADC level will be honoured in full.

Regulatory authorities

63. Government is committed to limiting conflicts of interest between the NQI and Regulatory Authorities to a minimum in order to gain acceptance for the overall system in international markets.
64. Each Ministry will remain responsible for the establishment and continued existence of regulatory agencies within its own sector of responsibility for the time being. Each Ministry will be responsible to ensure that these agencies act in accordance with the provisions of the TRF. The Technical Regulation Coordinating Office will review the activities of the regulatory agencies from time to time and provide feedback to the Ministries as regards their compliance.
65. In order to optimise limited resources, Government will initiate a review of the regulatory agencies already established within the various Ministries. The aim of the review is to come to a decision as to whether the current decentralized system should be retained, or whether a more centralized system with three or four major regulatory agencies aligned with industry sectors, or even a single supra-national regulatory agency, would be more appropriate for Namibia. Once the decision has been reached, the Government will embark on a major re-engineering programme to implement the decision within the shortest time possible. This programme may include the promulgation of new legislation, training of staff and the development of risk based market surveillance and import inspection systems.

Sanctions

66. Sanctions are necessary to ensure that suppliers continuously meet the requirements of the promulgated technical regulations. Regulatory agencies will be empowered to impose administrative sanctions that compel suppliers to withdraw non-complying products from the market place, and thereafter either rectify, destroy or re-export them without further penalties. In the case of the failure of suppliers to heed administrative sanctions, provision will be made to take them to court. Regulatory agencies will not be given the power to impose financial sanctions directly on suppliers.

Technical Regulation Coordination Office

67. In order to oversee the implementation of the TRF, the Government will establish a Technical Regulation Coordination Office (TRCO) either in the National Planning Commission, Attorney General, or the Office of the Prime Minister with the following responsibilities:
 - Coordination of activities related to technical regulation development and implementation amongst the regulatory authorities and the NQI;
 - Assess whether the regulatory authorities follow the defined TRF in developing and implementing technical regulations;
 - Assess whether all the regulatory authorities consistently meet the requirements of the WTO TBT Agreement and the SADC Protocol on Trade TBT Annex; and

- Overseeing the review of technical regulations already on the statute books by the regulatory authorities, in order to revise, confirm or withdraw such regulation and to make sure that they comply with the TRF.

10 ROLE OF OTHER STAKEHOLDERS

68. The private sector, through organized and informal business, has a prominent role to play in the implementation of the NQP. Not only is the private sector the major client and one of the major beneficiaries of the NQI, but its participation in the development and governance of the NQI is also essential. The private sector, in cooperation with other role players would specifically be expected to:
- Improve the quality of its products and services, hasten the introduction of best practices in the field of quality and contribute in this way to the competitiveness of Namibian products and services;
 - Participate actively when so requested in the governance structures of the NQI bodies providing a business perspective on strategy, fiduciary responsibility and sound business practices;
 - Participate actively in representative structures and technical committees dealing with standardization, accreditation and metrology or related activities;
 - Invest in the development of the NQI including the establishment of private sector conformity assessment service providers, thereby benefiting from the improved market opportunities that result from the enhanced NQI service delivery;
 - Participate in and promote national quality events, including national quality awards and the like;
 - Participate in and promote quality dissemination activities, such as congresses, seminars and publication of information in journals, magazines and other suitable means for communication;
 - Develop human resources and build capacity needed for improving the quality of products and services, especially those originating in Namibia; and
 - Participate in financing activities that support quality improvements.
69. The successful implementation of the NQP will require the active involvement of all of society associations for the promotion of quality and excellence, chambers of industry, trade and commerce and Non-Governmental Organizations (NGOs) in order to realize stated objectives. Therefore, within the implementation process of the NQP, all the preceding entities are encouraged to take the initiative in coordination with relevant partners and:
- Promote and participate in the quality education and training activities;
 - Participate in and promote the dissemination of quality related information;
 - Implement activities that promote the improvement of quality and the environment;
 - Promote the representation of relevant bodies in the Technical Committees (TCs) in the field of standardization, metrology, accreditation and quality; and
 - Propose suggestions on quality policy improvement and better ways to implement the NQP.
70. The media is encouraged to become actively involved in the dissemination of information related to standardization and quality and the improvement of productivity, thereby contributing to the multiplication effect and overall impact of the implementation of the NQP.
71. A number of bilateral and multilateral development partners are active in Namibia. All the recipient organizations in Namibia together with the development partners are encouraged to

ensure that capacity building programmes related to the NQI and TRF support the implementation of the NQP in that the programmes:

- Are coordinated amongst relevant partners for the execution of priority programmes;
- Support the transfer of knowledge and information which allows for the development of adequate quality and technology infrastructure;
- Support Namibia's participation in relevant international and regional organizations; and
- Provide training for national specialists and technicians to build a world-class NQI.

72. A number of diversity or minority group challenges of Namibian society are being addressed in general because they are an essential key to sustainable development. These specifically include gender equality, rural communities and MSMEs and it is important that these should be considered also in relation to the implementation of the NQP. The NQI and the users of its services are therefore encouraged to seek co-ordination mechanisms with related Ministries and institutions to support gender-enhancing appointments, training activities and specific support for MSMEs to access conformity assessment services and reaching out to rural communities.

11 INTERNATIONAL AND REGIONAL LIAISON

73. Standards, metrology, accreditation and conformity assessment develop at a rapid pace at the international and regional levels. It is therefore important that the NQI organisations of Namibia are actively involved in the appropriate international and regional forums, so that Namibian authorities and industry remain firmly in touch with developments at the international and regional levels.

74. All the stakeholders are strongly encouraged to cooperate in creating conditions favourable for active participation in international organizations related to the various functions of the NQI. These would include ISO, IEC, OIML, BIPM, CAC, ITU, IPPC, OIE, IAF, ILAC, etc. The Government is committed to strengthening the affiliation of the national institutions with these international organizations and encourage the participation of representatives of Namibian public and private sectors in the relevant general assemblies and especially TCs where it is of relevance to Namibia. The national institutions will develop and pursue a strategy for such involvement that takes into consideration the needs of the country as a whole.

75. As a member of SADC, Namibia has a responsibility to participate in the SADC Technical Cooperation Structures as provided for in the SADC Protocol on Trade TBT Annex. These include SADCSTAN (standards), SADCA (accreditation), SADC MET (scientific/industrial metrology), SADMEL (legal metrology), SADCTRLC (technical regulation liaison committee), SADCTBTSC (TBT stakeholder's committee) and TBTEG (TBT Expert Group). The Government is committed to support the active participation of the relevant public NQI and technical regulation structures, and expects the private sector to do likewise, all to ensure that Namibia is appropriately represented and that its interests are upheld.

12 LEGAL FRAMEWORK

76. To facilitate the implementation of the NQP, Government is therefore committed to review the existing legal framework as a priority measure, to benchmark it against international best practices and to ensure that it complies with the international and regional obligations of Namibia. The business environment is affected amongst others by the legal and regulatory framework related to the quality infrastructure and technical regulation. Similarly, the NQI organisations, especially in the public domain, are bound by legislation that governs their objectives, authorities, governance, finances, processes and operations.
77. All legislation pertaining to standardisation, metrology and accreditation will be reviewed as a matter of priority. New legislation, specifically legislation for the TRF and the establishment of the TRCO will be developed in parallel. The process will be coordinated in such a way that the legislation, revised and new, will form a holistic set without duplication and overlaps.

13 FINANCING THE NQI AND TECHNICAL REGULATION FRAMEWORK

78. It is of vital importance to make the public and private financial resources available for the implementation of the NQP. The Government will be responsible for financing the development, upgrading and restructuring of the existing NQI organisations within the public sector. The financing of private sector institutions and organizations will remain the responsibility of the private sector, as is their involvement in technical committees and similar structures at the national, regional and international level.
79. As regards the NQI, the Government will retain the full responsibility for the funding of:
- The development and publication of national standards by the NSI as well as the maintenance of the standards information centre;
 - The establishment and maintenance of the national measurement standards by the NSI;
 - The establishment and maintenance of a national calibration service until the laboratories become self-sustaining;
 - Establishing and maintaining membership of NSI and other relevant institutions in international and regional organizations such as ISO, IEC, BIPM, OIML, CAC, etc. and the SADC Technical Cooperation Structures relevant to the proper functioning of the NQI activities;
 - The establishment and maintenance of testing and calibration capacity in support of the NQP with the proviso that these services be commercialized as soon as possible in order not to compete with the private industry on an unequal basis. Strategically important testing capacity that can be challenging to commercialise should continue to receive the appropriate funding until such time as it is no longer a strategic necessity.
80. In order not to distort the market, and to provide for a steady self-earned income of the NQI bodies in the public domain, the private industry, and also government institutions that make use of the conformity assessment services, have the responsibility to pay for such services. The pricing levels shall be set by the NQI organisations to cover costs. Governmental financial support for the MSME sector shall not be demanded as a reduction of prices of the NQI bodies, but will be channelled to the MSMEs as per approved strategies developed by relevant authorities.

81. The Government will facilitate the establishment of proper market surveillance and import inspection programmes to ensure that technical regulations are complied with. The suppliers will be responsible for the testing and certification of products falling within the scope of technical regulations. The legal metrology services in so far as they cannot be funded through the fees and levies paid by the users of measuring equipment falling within the scope of legal metrology legislation will also be funded by Government until such a time that they can be self-sustaining.

14 IMPLEMENTATION ARRANGEMENTS

Lead Ministry and Core Group

82. MIT is given oversight responsibility for the implementation of the National Quality Policy. The Cabinet will establish an inter-ministerial Core Group (CG) representing the Ministries involved in technical regulation. The main NQI organisations will be represented and the development partners will be invited as observers. The Minister of MIT is the designated Chairperson.
83. The CG is established with the objective of leading the institutional and legal modernisation of the NQI in order that the concerned bodies provide competent and essential support and services to industries, the Government of Namibia and all other stakeholders in line with the international best practices and norms. The same applies to the TRF until the envisaged TRCO can take over this function. The CG will monitor and oversee implementation plans on a regular basis until successful implementation and will develop a progress report every six (6) months.

Implementation plan

84. In implementing the NQP, current institutions have to be reviewed and aligned to the NQP, new structures have to be established and responsibilities have to be allocated. This will ensure that the quality infrastructure environment is conducive to delivering the services required to support Namibia's Vision 2030 and the associated Namibia's Industrial Policy and the National Development Plans. An integrated approach is required to ensure that there are no oversights, overlaps, duplication and conflicts of interest amongst the various institutions that constitute the NQI and the regulatory agencies of Namibia. Hence, the MIT in cooperation with the CG will develop a detailed Implementation Plan within three (3) months of the promulgation of the NQP that will be followed by all relevant stakeholders, especially all the O/M/As, in implementing the NQP taking the High-Level Implementation Plan in the Annex as guidance.
85. The implementation plan shall include a National Standardisation Strategy.

Implementation responsibilities

86. Each O/M/A is charged with the implementation of its identified part of the NQP. The Ministries and their agencies will liaise closely with the Core Group in this regard. The relevant Ministries are also charged with the responsibility to ensure that the implementation of the NQP interfaces seamlessly with the implementation of their own policies wherever these impinge on each other.

Time line

87. The Government is committed to implement the provisions of the NQP within a period of five (5) years from the date of its approval. The CG shall review implementation progress annually and report to the MITSMED in this regard, and the Ministry shall likewise report to Cabinet.

15 DEFINITIONS

Accreditation is the procedure by which an authoritative body gives formal recognition that a body or person is competent to carry out specific tasks.

Administrative sanctions means sanctions imposed by a Regulator on suppliers that fail to comply with technical regulation requirements as opposed to sanctions placed by a court of law.

Agencies means arms of Government formed through an Act of Parliament to perform certain functions under the jurisdiction of the line Ministries.

Calibration is the set of operations that establish, under specified conditions, the relationship between values of quantities indicated by a measuring instrument or measuring system, or values represented by a material measure or a reference material and the corresponding values realized by standards.

Certification is the procedure by which a third party provides written attestation that a product, process or service meets specified requirements.

Competent Authority means any person or organisation that has the legally delegated or invested authority, capacity or power to perform a designated function.

Conformity assessment means the demonstration that specified requirements relating to a product, process, system, person or body are fulfilled.

Inspection means conformity evaluation by observation and judgement accompanied as appropriate by measurement, testing or gauging;

Legal Metrology means the activity which deals with the units of measurement, methods of measurement and measuring instruments in relation to the mandatory technical and legal requirements, which have the objective of ensuring a public guarantee from the point of view of the security and of the appropriate accuracy of measurements;

Measurement standard means a material measure, measuring instrument, reference material or measuring system intended to define, realize, conserve or reproduce a unit, or one or more values of a quantity, to serve as a reference.

Ministries means government departments headed by Ministers that are usually meant to manage a specific sector of public administration.

National Quality Infrastructure means the totality of the institutional framework (public and private) required to establish and implement standardization, metrology (scientific, industrial and legal), accreditation and conformity assessment services (inspection, testing and product- and system certification) necessary to provide acceptable evidence that products and services meet defined requirements, be it demanded by authorities (technical regulation) or the market place (contractually or inferred).

Quality means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs.

Quality management means the coordinated activities to direct and control an organization with regard to quality.

Regulator means an authority that carries out the mandate given under the law applicable to a specific country to oversee implementation and administration of technical regulations and includes national and provincial government departments, local authorities and regulatory agencies established by legislation;

Standard means a document, established by consensus and approved by a recognized body, that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context.

Technical regulation means a document which lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.

Testing means the determination of one or more characteristics of an object of conformity assessment in accordance with a specified method.

16 ANNEX: HIGH LEVEL IMPLEMENTATION PLAN

High level Implementation Plan for the National Quality Policy						
Policy Objective	Broad-based Activities	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
Goods and services emanating from or traded in Namibia are designed, manufactured and supplied in a manner that match the needs, expectations and requirements of the purchasers and consumers as well as those of the regulatory authorities in the local as well as in the export markets.	Implement the NQP and coordinate measures in respect thereof incorporating the formulation of the National Standardization Strategy	X	X	X	X	X
	Review and/or develop NQP related legislation, namely: a) Namibia Standards Institute (NSI); b) Metrology (SI System and National Measurement Standards); c) Legal Metrology (Weights and Measures); and d) National Technical Regulation Framework (including a Technical Regulation Office).	X	X			
Establish, develop and maintain metrology, standardization, accreditation, inspection, testing and certification infra-structure i.e. the NQI in accordance with Namibia's needs.	Reconsider role of SADCAS	X				X
	Establish relevant laboratories in NSI and others	X	X			
	Further strengthen product and system certification in NSI incorporating implementation of Import Inspection and Market Surveillance Programme	X				
Support the application of the techniques, practices and service provision of the NQI to demonstrably comply with international standards throughout	Build capacity in Metrology and Legal Metrology in NSI, have CMCs registered in BIPM database	X	X	X	X	X
	Enhance capacity in NSI for Standards development, publication and information to comply fully with WTO principles	X	X			
	Build capacity in laboratories and gain accreditation to ISO/IEC 17025	X	X	X	X	
	Build capacity in NSI for certification of products and systems, gain accreditation to ISO/IEC 17021 and ISO/IEC 17065		X	X		
Review and re-engineer the technical regulation regime of Namibia including its related legislation, to fully meet requirements of the WTO TBT Agreement, the SADC Protocol on Trade TBT Annex and international best practices.	Develop and promulgate national approach to technical regulations, i.e. the TRF	X	X			
	Consider the number of technical regulation agencies within the context of needs and resources of Namibia	X				
	Establish the appropriate number of technical regulation focal points and agencies in relevant Ministries		X			
	Train staff in technical regulation development, risk analysis, market surveillance and application of		X	X	X	X

	sanctions					
Implement the national Technical Regulation Framework (TRF) which includes the establishment of effective cooperation amongst the NQI institutions and the national regulatory authorities with their international counterparts	Establish a NQI Focal Point in MIT	X				
	Establish the Inter-Ministerial Core Group	X				
	Establish Office of Technical Regulation and train staff			X		
	Initiate and complete review of technical regulations on statute books			X	X	X
	Enhance capacity in the WTO TBT Enquiry Point in NSI	X				
The development of the human resources necessary to support the various metrology, standardization, accreditation, conformity assessment and technical regulation programmes.	Establish training courses for metrologists, auditors and assessors in NSI and tertiary education institutions	X	X	X	X	X
	Establish national registration programmes for metrologists, auditors and assessors	X				
	Train and register metrologists, auditors and assessors		X	X	X	X
	Introduce quality related subjects in secondary and tertiary education institutions		X		X	
To raise the quality consciousness amongst both the suppliers and the consumers. It is an undertaking by both the public and the private sector to introduce and maintain a quality culture in public life and throughout society.	Develop and implement a national communication strategy for raising quality awareness	X				
	Dialogue with Ministries, Regulatory Agencies and local authorities on quality issues		X	X	X	X
	In collaboration with NSI undertake targeted quality awareness activities among public and private sector		X	X	X	X