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STANDARDS DEVELOPMENT AND IMPLEMENTATION LINKING TO REGULATORY FRAMEWORK - CASE STUDY OF TANZANIA

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Tanzania population and economy

- Located in the EAC Region,
- Population of 44,928,923. (2012 Census)
- (43,625,354 - Tanzania mainland)
- (1,303,569 - Tanzania Zanzibar)
- Growth rate 2.66/year (2012 Census)

- Politically: Stable country, multiparty system
- 25th October 2015 general election to be held
Introduction............................

RECs and Standardization memberships
• East African Community (EAC),
• South African Development Community (SADC),
• World Trade Organization (WTO)- since 1995
• International Organization for Standardization (ISO) –P- members
• International Electro-technical Commission (IEC)- Affiliate member
• Codex Alimentarius
The Tanzania Bureau of Standards (TBS)

National Standards Body legally integrated with the following quality infrastructure:
- standardization
- metrology,
- testing,
- inspection and
- certification

operates impartially without imposing conflict of interest through the established procedures
Introduction

- parastatal organization under the Ministry of Industry and Trade
- Established by the Standard Act No. 3 of 1975 as the *National Standards Institute*,
- was renamed *Tanzania Bureau of Standards (TBS)* through an amendment to the Act No.3 of 1977.
- The Standards Act No. 3 of 1975 was later repealed and replaced by the Standards Act No. 2 of 2009
- Established to support institutional infrastructure for the industry and commerce
Introduction

more empowered by the Standards Act No.2 of 2009

• Custodian, an overseer observant of standards in Tanzania

• undertake measures for **quality control** of products of all descriptions and promote **standardization in industry and commerce.**
Leadership

❖ Minister for Industry and Trade
- Declaration and gazette national standards for legal recognition

❖ Board of Director:
- chairmanship appointed by the president
- other members from key stakeholders appointed by the Minister
- Saves in three years renewable

❖ Director General
-The Chief Executive and Accounting Officer
- appointed by the president

❖ Directorates:
- Standards Development
- Quality Management
- Testing, Calibration and Packaging Services
- Cooperate Services
Membership in relation to standardization

- East African Community (EAC),
- South African Development Community (SADC),
- World Trade Organization (WTO) - since 1995
- International Organization for Standardization (ISO) –P- members
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Functions as per Standard Act Article 4 (1)

Functions in relation to standards development

- prepare, frame, modify or amend National Standards;
- assist the Government or any other person in the preparation and framing of standards;
- co-operate with regional and international organizations in all matters related to standardization and quality assurance and represent the country in such matters;
- Co-operate with other government agencies, representatives of any industry or any statutory corporation or person with a view to securing adoption and application of standards.
Functions ......

Mandated functions in relation to standards implementation:

• Undertake measures of quality control of commodities, services and environment of all descriptions and to promote standardization in industry and trade

• Provide facilities for testing and calibration of equipment to determine the degree of accuracy and traceability by comparison with approved standards

• Provide for the inspection, sampling and testing of locally manufactured and imported commodities to determine for the compliance with applicable standard or regulations

• Grant renew, suspend, vary or cancel any licence issued for the use of any standards mark

• Undertake educational work in connection with standardization quality assurance, metrology, testing and environment

• Collect, publish and disseminate literature and other materials on standardization and other related subjects
Function......

On the development and implementation of standards as per the Act, improvement is expected to be observed in the

• (a) public health,
• safety,
• environment and
• general welfare of the people of the United Republic; and

The Bureau is mandated to maintain, as far as may be practicable, a system of consultation and co-operation with anybody established by or under any written law and having similar functions or having functions relating to industrial or commercial standards generally
Standards development

• Based on the international best practice aligned to ISO/IEC Directives (Part 1 and 2)
• established standards development procedures
• Considers standardization principles as defined by WTO-TBT agreement:
  ➢ Transparency
  ➢ Openness
  ➢ Impartiality
  ➢ Effectiveness
  ➢ Coherent
  ➢ Relevant
  ➢ Research and development
Standards development

Involvement

• The Minister-
  ➢ Declaration to the government gazette for legal status

• Board of Directors-
  ➢ Approval of standards for legal recognition

• Stakeholders through technical committees, working groups
  ➢ Set the technical contents of the standards
  ➢ Develop, amend, modify or withdraw the standards
  ➢ Observes standardization procedures
Standards development

Standards development structures:

- **Divisional Committee-**
  - Function as TMT (ISO) or SMC (EAC).
  - Is a sectoral Policy making in standardization (Food and Agriculture, Engineering, Chemicals, Environment, Textile...)

- **Technical Committee (TC)-**
  - Established by the Divisional Committee of the respective sector
  - Constituted by the well balanced experts from relevant stakeholders,
    - Includes academia/researchers, industries, consumers, regulators, government ministries/departments, NGOs
  - develops standards in the relevant field of standardization
  - Serves for three years subject to renewal based on the performance

- **Working Groups (WG)-**
  - established by the Technical committee or secretariat,
  - Works for the specific task and resolved after completing the assigned task
Standards development

Composition of technical committees:

• The Chairperson
  - appointed by the Director General among the members,
  - mostly from high learning institutions/universities and in some cases from regulatory bodies
  - excises **impartiality in the process**
  - **Ensures balanced discussion**
  - Ensures Consensus principle approach in standards formulation

• Representation in Technical Committees
  - Manufacturers (and associations)
  - Consumers (and associations)
  - Technologists and High learning institutions
  - Regulators
  - Government Departments
  - Any interested parties
Who develop national Standards

• relevant experts from **stakeholders**, within technical committees (TCs)
• TBS serves as secretariat to coordinate the process
• composed of representatives from the **industry, NGOs, governments departments, authorities, consumers and their association, manufacturers and their association and other stakeholders interested in a particular field**, 
• there are more than **100** technical Committees,
• The number is limited to **8** due to administrative purposes
• Flexible to co-opted members as individual experts or institution
• Open to interested parties or members to attend
Who develop national standards

• Constitution of TCs is proposed by the Divisional Committee (DC)
• TBS requests the institutions to nominate experts as representatives
• Effort is being made to review TC scopes and be aligned to regional and ISO scopes to serve as mirror committees and to participate to the same
• some have been aligned to Regional (EAC) and International (ISO/IEC) standardization activities for participation
• Public involved to review the draft in two months before being finalized for approval
• Public involved again to review the approved compulsory standards in two months for any objection before forwarded for declaration by the Minister as per standards Act No.2 of 2009
Initiation of projects

The projects are commonly initiated by stakeholders
- Through technical committees
- Direct to the Bureau
- scrutinized by the TCs based on the framework of standardization and other requirements, including
  - Relevance of the project
  - priority of a project,
  - future demand of a project,
  - implication to health, economy and environment
  - Consideration to the annual program of work
Declaration of standards

- published as **voluntary or compulsory**
- TCs recommends the categories for declaration

Compulsory standards are subject to the effect on:
- Safety
- Health
- environment, or
- national economy.

- Serves as technical regulation to safe guide the industry and to protect consumers and environment
Implementation of Standards

Conformity Assessment

• Operates Conformity Assessment to provide third party service to the industry including sampling, inspection, testing and certification
• Established testing Laboratories to support product certification and industry
  • implementing QMS as per ISO/IEC 17025
  • Metrology is accredited to support testing
  • Some of the test methods are accredited by SADCAS
• The System certification unit is on the process to develop manual for accreditation
Implementation ---------------------

• The Standards Act prohibits the commodity which fall under compulsory standards to be placed to the market after being inspected and tested and found to comply with the relevant Standards

• Such products are required to undergo inspection and certification process as per product certification scheme and regulations
Implementation ..... 

governed by the Standards Act No. 2 of 2009 with applicable Regulations

- Standards (certification) Regulations
- Standards (Batch Certification) regulation for imports and
- Standards (Tested product) Regulations

• These regulations are instruments used to verify the conformity and impose penalties to defaulters
Implementation.....

Standard (certification) Regulations

- regulates the use of Standards Marks and grant of licence to certified products conforming to relevant Standards,

- The regulation entitles the holder of Standards Marks to apply to any commodity, or process, manufactured or used in manufacture or treatment of commodity,

- prohibit any person to use a Standards Mark to any commodity or process unless the holder of licence is granted in accordance with the applicable regulation
Implementation.....

**Standards (batch) Regulation**

- regulates all matters relating to import of goods,
- importers are required to import goods that conform to the relevant approved standards
- prohibits to import goods that do not conform to the relevant standards
- prohibits to place any products in the Tanzania Market which do not conform to the required standard
Implementation…..

...batch certification Regulation

• Insists Pre-shipment Verification of Conformity to Standards (PVoC) for goods intended to be imported to the country

• all importers are required to inspect and test all products intended to be shipped to Tanzania and be issued certificate of conformity to standards

• Goods not conforming to the Standards are not allowed to be shipped to the Market of Tanzania

• To operate the Scheme, the Bureau have contracted the program to agents operating worldwide
Implementation.....

Standards (Tested products) Regulation

• Applies to products certified using relevant foreign standards

• Applies to products in which there is no available Tanzania standard

• Relevant other national, regional, or company standards may be used

• The applicable standards are reviewed and approved by technical committees on transition to develop national standard
Implementation ..................

• Different Regulations make reference to Tanzania standards for enforcement
• Different contracts refer to standards
• procurements – mandatory requirements
  - supplies to complied with relevant
  - involvement of Bureau to verify application of relevant standards
• Verification of supplies
Implementation........

Pre-seminar of implementation

• Applicable to compulsory standards,
• carried out to relevant stakeholder before implementation starts
• creates awareness for compliance to the respective standards
• provides smoothness in implementation to those who might have been not involved in the development process
• A grace period may be agreed between TBS and stakeholders/industry before enforcement commences,
Implementation.......

Penalties to Non compliance

• penalties of fifty to one hundred million or two years imprisonment or both

• The compounding of the offence of twenty million Tanzanian shillings
Challenges

• High demand of standards which does not match to the pace of standards development
• Rapid development in science and Technologies
• Low awareness on the importance of standards to the public
• Budget constraints
• several unofficial routes - sub-standards products to the country
• Low participation to the regional and international levels
Challenges.....

• low participation of stakeholder in Standardization process
• Misconception that standards are for government and not for stakeholders, hence private sector funding standardization is minimum
• Misconception that poor quality are cheap, while in real sense are expensive
• Consumer awareness and passion for good quality exist only at a low level
Improvements

• To conduct training to the Technical experts to appreciate their roles on standardization process

• mobilize funds to enable participation of experts (stakeholders) to Regional and International standardization activities like ARSO, SADC, EAC and ISO

• To cooperate with TC members to conduct other activities such trainings on standardization apart from TC meetings

• Involvement of TC members to review ISO standards circulated for commenting and balloting through national mirror committees to appreciate their contribution to international level

• Enhance cooperation with stakeholders in standardization activities through MoUs
CONCLUSION

• Standardization and implementation of Standards in Tanzania are in lines with legal framework through the Standards Act

• Public awareness on participation to standardization activities is increasing from time to time due to the efforts being used by the Bureau through the use of public media, workshops, seminars and trainings

• Is possible to fight against sub-standards and counterfeit products in the continent if legal frameworks in relation to standardization and enforcement will be strengthened in every country.