

**THE NATIONAL TECHNICAL REGULATION ACT,  
2017**

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GOVERNMENT OF ZAMBIA

# ACT

No. 5 of 2017

Date of Assent: 12th April, 2017

**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.**

[13th April, 2017

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

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;
	“adverse” has the meaning assigned to it in the Environmental Management Act, 2011;
Act No. 12 of 2011	“Bureau” means the Zambia Bureau of Standards established under the Standards Act, 2017;
Act No. of 2017	“certification” means the formal substantiation that a product, 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;
	“compulsory standard” means a compulsory standard declared under the Compulsory Standards Act, 2017;
Act No. of 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, 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;
	“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;
	“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;

- “ Director ” means the Director of Technical Regulation appointed under section 7;
- “ environment ” has the meaning assigned to it in the Environmental Management Act, 2011;
- “ inspection ” means the examination of a product, process or installation and determination of its conformity with specific requirements or, on the basis of professional judgement, with general requirements; Act No. 12 of 2011
- “ ISO ” means the International Organisation for Standardisation;
- “ legal metrology ” has the meaning assigned to it in the Metrology Act, 2017;
- “ market ” in relation to any goods or services, includes a market for those goods or services and other goods or services that are substitutable for, or otherwise competitive with, the goods or services; Act No. of 2017
- “ market surveillance ” means random checks and audits of, or taking samples and gathering of information with regard to, products and services available on the market and in warehouses;
- “ metrology ” has the meaning assigned to it in the Metrology Act, 2017; Act No. of 2017
- “ national quality infrastructure ” means the totality of the institutional framework, whether public or private, the output of which includes metrology, standards, inspection, testing, certification and accreditation;
- “ pre-market approval ” means the scientific and regulatory review of a commodity, by the regulatory agency responsible for enforcing standards to which that commodity is subject, in order to establish that commodity’s safety and effectiveness before its approval for the market;
- “ process ” means a method of operation, manufacturing, production, storage, transportation, disposal or combination of these processes;
- “ product ” has the meaning assigned to it in the Standards Act, 2017; Act No. of 2017
- “ production method ” means the mechanical or chemical steps used to create an object, usually repeated to create multiple units of the same item and generally involves the use of raw materials, machinery and human resource to create a product;
- “ regulatory agency ” means a Ministry, department or agency with authority and power to develop or oversee the implementation of a technical regulation;