National Policy and Legal Environment

Two cross-cutting issues that have a distinct influence on the quality infrastructure (QI) landscape in a country are the policy environment regarding the QI and the technical regulation regime. These are most commonly contained in a national quality policy and a technical regulation framework.

2.1 QUALITY POLICY

2.1.1 Benchmark and significance

The national quality policy (NQP) provides the policy framework, endorsed at the highest political level, of the way in which the country wishes to establish and maintain its QI. The policy has to clearly address the organizational structures, responsibilities, and coordination among the entities of the QI. It should provide guidance regarding governmental responsibilities in relation to those of the private sector. It should provide the connection between other government policies and the need for an effective and efficient QI. For a detailed discussion of quality policy, see module 10 of the QI Toolkit.

2.1.2 Classification, best practices, and implementation strategy

What is meant

Major	A quality policy gives meaning to the establishment and maintenance of a quality infrastructure and generally consists of the following:
	• Policy objectives
	• The quality infrastructure (QI)
	• Education and training
	• Role of all the stakeholders
	• International and regional liaisons
	• Financing the QI
	• Legal framework for the QI
	• Implementation plan

How can it be demonstrated?

The NQP should be a formal document approved by the cabinet or parliament as relevant for implementation. It should be publicly available—that is, on the relevant ministry website or in hard copy. The activities, business plans, and budgets of the QI entities should be aligned with the NQP to ensure its implementation. The NQP should be accompanied by an implementation plan and a concomitant budget with detailed responsibilities for actions and outcomes.

Existing information/reporting/monitoring

- Relevant ministry (for example, Trade and Industry) website
- QI websites
- Annual reports of the QI entities
- Reports of a coordinating committee responsible for implementation of the NQP

2.2 TECHNICAL REGULATION FRAMEWORK

2.2.1 Benchmark and significance

A technical regulation framework details the way in which a country wishes to implement technical regulations in accordance with the requirements of the World Trade Organization (WTO) Agreement on Technical Barriers to Trade (TBT Agreement), and in an effective and efficient way that is acceptable to major trading partners. Without such a technical regulation framework, the technical regulation regime as practiced by the various authorities is frequently fragmented, gaps and overlaps in responsibilities abound, compliance with the WTO TBT Agreement is debatable, the efficacy of technical regulations is suboptimal, the transaction costs for suppliers are high, and unnecessary, restrictive trade measures are commonplace. For a detailed discussion of the technical regulation framework, see module 7, section 7.9.3, of the QI Toolkit.

2.2.2 Classification, best practices, and implementation strategy

What is meant

Major	A technical regulation framework provides definitive guidance to all authorities that are developing and implementing technical regulations to ensure a common approach throughout that is in full compliance with the WTO TBT Agreement requirements. It generally consists of the following: • Regulatory impact assessment (RIA) • Use of standards in determining technical requirements • Conformity assessment modalities • Technical regulation authorities and their responsibilities • Imposition of sanctions • Coordination mechanisms

How can it be demonstrated?

The technical regulation framework should be a legally enforceable approach (under law, regulation, or decree) approved by the cabinet, parliament, or head of state, as relevant for implementation. It should be publicly available—that is,

on the relevant ministry website or in hard copy. The activities, business plans, and budgets of the regulatory authorities at all levels of government should be aligned with the technical regulation framework to ensure its implementation.

Existing information/reporting/monitoring

- Official list of legislations
- Relevant ministry (for example, Trade and Industry) website
- Annual reports of the regulatory authorities
- Reports of a coordinating office responsible for implementation of the technical regulation framework