



**SEVENTY EIGHTH ORDINARY SESSION OF THE ECOWAS  
COUNCIL OF MINISTERS**

Monrovia, 1<sup>st</sup> – 2<sup>nd</sup> June 2017

**REGULATION C/REG.9/6/17 ON ORGANIZATION AND OPERATION  
OF THE COMMUNITY TECHNICAL REGULATIONS COMMITTEE**

**THE COUNCIL OF MINISTERS,**

**MINDFUL** of Articles 10, 11 and 12 of the Revised ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions,

**MINDFUL** of Article 26(3l) of the Revised ECOWAS Treaty on the adoption of common standards and appropriate quality systems by Member States;

**MINDFUL** of Supplementary Act A/SA.1/02/13 on adoption of the ECOWAS Quality Policy (ECOQUAL) and its implementation framework;

**MINDFUL** of Supplementary Act A/SA.2/07/10 on the adoption of the West African Common Industrial Policy (WACIP) and its plan of action;

**MINDFUL** of Regulation C/REG.19/12/13 on the Adoption of the Regional Quality Infrastructure Scheme of ECOWAS;

**MINDFUL** of Regulation C/REG.14/12/12 on the adoption of the ECOWAS Standards Harmonization Procedures (ECOSHAM);

**CONSCIOUS** of the need to protect consumers in the ECOWAS region;

**CONVINCED** of the important role that social responsibility can play in protecting consumers and citizens of ECOWAS;

**CONSIDERING** that the establishment of quality infrastructure at Community level requires for its proper functioning, the respect of a certain number of behavioural principles;

**CONSCIOUS** that the community quality policy cannot be conducted by ignoring the role of the national bodies responsible for standardisation, accreditation and metrology; *lk*

**CONSIDERING** that the development of the common market is possible only through the contribution of the economic players in the development of standards, whereby effective enforcement is requested of them;

**DESIROUS** to clearly indicate to stakeholders, the rules of standardization.

**ON THE RECOMMENDATION** of the Meeting of Ministers in charge of Quality of the ECOWAS held in Abidjan, Côte d'Ivoire, on the 21<sup>st</sup> April 2017.

## **ENACTS**

### **CHAPTER I: GENERAL PROVISIONS**

#### **SECTION I: DEFINITIONS AND PURPOSE**

##### **ARTICLE 1: DEFINITIONS**

For the purposes of this regulation, the terms and expressions below have the following meanings:

**a. *Technical requirements***

Rules laying down requirements which are conditions for supply, of market commissioning, use or disposal of a product and which notably concerns: the composition, characteristics, packaging, labeling or the sign of compliance of the products, the production, transport or storage of the products, the compliance assessment, registration, approval or the procedure for obtaining the sign of compliance.

**b. *Promotion of quality***

The implementation of all actions and activities to publicize and use technical instruments that improve the quality of products and services.

**c. *Technical regulation***

The document that sets out the characteristics of a product or process and production methods, including the administrative provisions that apply, for which adherence is mandatory. It can also deal in whole or in part with terminology, symbol, packaging requirements, marking or labelling for a product, service, process or given production method.

**d. *Regulation***

Action to regulate, set of legal measures, regulations.

**e. *Compliance***

The fact that a product or service meets the requirements or technical standards; *AdK*

**f. Sign of compliance**

The mark, symbol, or the designation, determined or recognized by a State or by the ECOWAS Commission, which demonstrates the compliance of a product or service.

**g. Control body**

Impartial body having the organization, personnel, competence and integrity to ensure, according to the given criteria, functions such as: assessment, opinion in view of acceptance and external monitoring of the operations of control of the quality of the manufacturer, selection and evaluation of products on site, factory or elsewhere, as it should be, according to specified criteria.

**h. Test laboratory**

The laboratory conducting tests, i.e. technical operations that include one or more characteristics of a product, process or service, according to a specified procedure. The tests include the calibration of the measuring devices.

**i. Test**

Technical operation of determining one or more characteristics of a product, process or service, according to a specified procedure.

**j. Reference material**

Material sufficiently homogenous and stable with reference to specified properties which has been established to be fit for its intended use in measurement or in examination of nominal properties.

**k. Inspection**

Review of the design of a product, service, process or facility, and determination of their compliance with specific requirements or, on the basis of professional judgement, to the general requirements. The term "control" is to be regarded as synonymous with the term "inspection".


**l. Conformity assessment**

Any activity whose purpose is to directly or indirectly determine if requirements are met.

**m. Commission**

The ECOWAS Commission as defined by the Revised ECOWAS Treaty

**ARTICLE 2 : PURPOSE**

The purpose of this Regulation is to specify the rules for the organization and operation of the Community Committee of Technical Regulation established by Article 7 of 

## **SECTION II: OBJECTIVES AND MISSIONS**

### **ARTICLE 3: OBJECTIVES**

1. The Community Committee of Technical Regulation's objectives:
  - a) to develop between ECOWAS member states, a collaboration in the area of technical regulation;
  - b) to optimize the use of resources available to the States and quickly increase the level of expertise in the area of technical regulation;
  - c) to encourage all stakeholders of technical regulations to put in place the necessary means in respect of the agreement on Technical Barriers to Trade (TBT) and the agreement on Sanitary and Phytosanitary (SPS) of the world Trade Organization (WTO);
  - d) to build a structure of expertise at the regional level to ensure good market surveillance and to eliminate technical barriers to regional and international trade.
2. These objectives are carried out in close collaboration with the organs of ECOWAS and in particular the Commission and in consultation with all the stakeholders.

### **ARTICLE 4: MISSIONS**

1. The Community Technical Regulations Committee's mission is to assist the ECOWAS Commission in the achievement of technical regulatory missions such as defined in the ECOWAS Quality Policy. The Community Technical Regulations Committee will propose guidelines for the development and implementation of national technical regulations and ensure the follow-up of their implementation.
2. As such, it has the following missions:
  - a) Define, popularize and ensure the implementation of good practices in the development of technical regulations, particularly towards the national and regional authorities in charge of technical regulation;
  - b) Ensure the harmonization and coordination of the activities of development and publication of technical regulation at the regional and national level, including:
    - i. Ensuring the establishment of Interdepartmental Technical Regulation Committees at the national level to harmonize and coordinate the

development and publication of the technical regulations in the Member States;

- ii. Ensuring the establishment of an Inter-Departmental of Technical Regulation Committee at the ECOWAS Commission level, to harmonize and coordinate the activities of development and publication of the regional technical regulation at the ECOWAS Commission;
- c) Propose enforcement mechanisms of harmonized technical regulations;
  - d) Measure the effectiveness and the rate of enforcement of technical regulations at the regional and national levels, in coordination with the CIMRT and the CIDRT;
  - e) Coordinate and drive the actions necessary to resolve common technical regulatory issues.
3. The missions of the Community Technical Regulations Committee cover exclusively the area of technical regulation and market surveillance.
  4. Missions that are assigned to the Community Technical Regulations Committee shall operate through national structures responsible for the technical regulation. Each national structure operates independently and reports to the Community Technical Regulations Committee.

#### **ARTICLE 5: MEMBERS**

1. The Community Technical Regulation Committee (CTRC) is made up of representatives of the Member States, one representative per State.
2. The President of the Inter-Departmental Committee of Technical Regulation (IDCTR) at the national level, as appropriate, represents his State at the level of the CTRC.
3. The Inter-Departmental Committee of Technical Regulation (IDCTR) at the level of the ECOWAS Commission designates, as appropriate, his representative at the level of the CTRC.

### **CHAPTER II: ORGANIZATION AND OPERATION**

#### **SECTION III: THE ORGANIZATION OF THE COMMUNITY COMMITTEE OF TECHNICAL REGULATIONS**

The organs of the Community Committee for Technical Regulations are:

- a) The Office of the President ;



- b) The Permanent Secretariat;
- c) The Working Groups.

#### **ARTICLE 6: OFFICE OF THE PRESIDENT**

1. There shall be a President of the Community Committee for Technical Regulations, assisted by a Vice-President. The President and Vice-President shall be appointed from among and by the members of the Committee by election.
2. The President and Vice-President shall hold their offices for a period of three years, renewable once.
3. The President chairs all meetings of the Committee. He is assisted by the Vice-President and two rapporteurs for each session.
4. The President shall determine the draft agenda of each session taking into account the demands of all members or of the ECOWAS Commission.
5. He shall report regularly to the Permanent Secretariat on all the activities of the Committee.
6. He shall ensure the implementation of the outcome of the sessions and the approval of the minutes of the meetings held by the Permanent Secretariat.
7. The President represents the Community Committee for Technical Regulations with respect to third parties.
8. In case of absence, he is replaced by the Vice-chairman.

#### **ARTICLE 7: PERMANENT SECRETARIAT**

1. The Regional Quality Organism shall be responsible for the Permanent Secretariat of the CCTR as mandated for this purpose in the framework of a Memorandum of Understanding pursuant to Section 12 paragraph 4 of Supplementary Act A/SA.1/02/13 on adoption of the ECOWAS Quality Policy.
2. The Permanent Secretariat shall:
  - a) assist the Chairman of the Committee in the Organization of the meetings of the General Assemblies of all meetings of the Committee;
  - b) assist the rapporteurs at meetings of the Committee;
  - c) follow the progress of the work undertaken by the Committee in collaboration with the President;

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- d) contribute to the establishment of working groups;
  - e) manage all common relationships, especially between the members of the Committee, the ECOWAS Commission and external partners;
  - f) Ensure the participation of the Committee in all meetings of ECOWAS relating to quality, to the functioning of the common market, the safety of consumers and the protection of the environment.
3. The Permanent Secretariat is the custodian of the various acts and archives Committee.


#### **ARTICLE 8: WORKING GROUPS**

1. In the pursuit of its tasks, the Community Committee for Technical Regulations may set up working groups to deal with specific issues. These working groups are created depending on the nature of the products or activities.
2. The activities of the working groups are overseen by the Chairman of the Committee.
3. The reports from the working groups are presented during the sessions of the Committee.

#### **SECTION II: OPERATION OF THE COMMUNITY COMMITTEE FOR TECHNICAL REGULATIONS**

#### **ARTICLE 9: DUTY OF MEMBERS**

To ensure the quality of the work and the achievement of the objectives set in the Community Committee for Technical Regulations, delegates of the Member States must:

- a) Prepare for meetings by consulting all national stakeholders involved in technical regulation;
- b) Study all records available to them to be able to present their observations and proposals to other members of the Committee;
- c) Participate effectively, in all meetings of the Community Committee for Technical Regulations;
- d) Report on the outcome of the meetings to local stakeholders. 

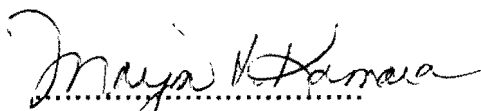
**ARTICLE 17: TRANSITIONAL PROVISIONS**

1. Pending the operationalisation of the Regional Quality Organism, the activities of the CTRC are implemented as part of ECOWAS programs in the field of quality.
2. During the transitional period, the meetings of the Community Committee for Technical Regulations of the will focus exclusively on priority themes identified by the Commission and the Member States and ensuring the exploit of standards approved or underway for approval at the regional level.

**ARTICLE 18: ENTRY INTO FORCE AND PUBLICATION**

This Regulation shall enter into force after its signature by the Chairman of the Council of Ministers and shall be published by the Commission in the Official Journal of the Community within thirty (30) days. It shall also be published by each Member State in its Official Journal thirty (30) days after notification by the Commission.

**DONE IN MONROVIA, THIS 2<sup>ND</sup> DAY OF JUNE 2017**



MARJON V. KAMARA

**THE CHAIRPERSON,  
FOR THE COUNCIL**

SIGNED ON THIS 5<sup>th</sup> DAY OF June 2017 AT MONROVIA