

**IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT
ON TECHNICAL BARRIERS TO TRADE**

Communication from Tanzania

Revision

The following communication under Article 15.2 of the Agreement on Technical Barriers to Trade has been received from the delegation of Tanzania.

1. Tanzania Bureau of Standards (TBS) was established under the Ministry of Industries and Trade by an Act of Parliament, The Standards Act No.3 of 1975 as the National Standards Institute and became operational in April 1976. It was subsequently renamed Tanzania Bureau of Standards through an amendment to the Act by Act No.1 of 1977 and further amended by Act Supplement No. 2 of 2009.

2. The Tanzania Bureau of Standards (TBS) was established as part of the efforts by the government to strengthen the supporting institutional infrastructure for the industry and commercial sectors of the economy. Specifically, TBS was mandated to undertake measures for quality control of products of all descriptions and promote standardization in industry and commerce.

3. In effecting the regulatory role, the Tanzania Bureau of Standards proposed the following regulations which are derived from the Standards Act:

- (a) The Standards (Certification) Regulation 1981, as subsidiary legislation published on 27 July 1981 as Government Notice No. 91 under section 31(2) (f) of the Standards Act. The regulation clarifies:
 - (i) prohibition of use of standards mark;
 - (ii) application of licences;
 - (iii) enquiry preceding granting of licence;
 - (iv) inspection by the Bureau of Standards inspectors both pre-licence and routine surveillance;
 - (v) granting of licence;
 - (vi) register of licensed manufacturers;
 - (vii) refusal of application;

- (viii) suspension or cancellation of licensees including procedure, consequence, and communication of decision findings;
 - (ix) system of quality control by licence holder;
 - (x) fees schedule.
- (b) The Standards (Tested Products) Regulation, 1984 as subsidiary legislation published on 3 August 1984 as Government Notice No. 137 under section 31(2)(f) of the Standards Act. The regulation clarifies:
- (i) meaning and interpretation;
 - (ii) procedure for obtaining a Tested Product Certificate;
 - (iii) conditions for issue of a Tested Product Certificate;
 - (iv) inspection (pre-licence and surveillance);
 - (v) termination conditions;
 - (vi) register for licensees;
 - (vii) communications between the licensor and licensee;
 - (viii) fees schedule.
- (c) The Standards (Compulsory Batch Certification of Imports) Regulations, 1998 as subsidiary legislation published on 25 December 1998 as Government Notice No. 672 under section 31 (2) (f) of the Standards Act. The regulation clarifies:
- (i) meaning and interpretation;
 - (ii) application for batch certificates;
 - (iii) inspection and sample drawing guidelines;
 - (iv) handling of imports with "tbs" quality mark;
 - (v) issuance of Batch Certificates;
 - (vi) handling nonconforming products;
 - (vii) register of licences;
 - (viii) issuance of conditional release certificates;
 - (ix) disposition of samples;
 - (x) fees schedule.

4. Apart from the contribution by the Tanzania Bureau of Standards, quality assurance and conformity assessment infrastructure is fragmented/sectoral based, with different Government

Ministries and Institutions deliberating issues as per the Acts which brought them into existence. Within their areas of jurisdiction are, for example:

- (a) Ministry of Agriculture, Food Security and Cooperatives
 - The Plant Protection Act
 - The Tropical Pesticides Research Institute Act
 - Tanzania Radiation Act
 - The Seeds (Standards and Registration) Act

- (b) Ministry of Water and Irrigation
 - The Water Safety Act

- (c) Ministry of Natural Resources and Tourism
 - The Bees Act
 - The Forestry Act
 - The Tourism Act

- (d) Ministry of Fisheries and Livestock Development
 - The Fisheries Act
 - The Animal Disease Control Act
 - The Diary Industry Act
 - The Hides and Skin Act

- (e) Ministry of Infrastructure Development
 - The Tanzania Civil Aviation Authority Act
 - The Marine Act

- (f) Ministry of Communication, Science and Technology
 - The Tanzania - Communications Regulatory Authority Act

- (g) Ministry of Health and Social Welfare
 - The Tanzania Food, Drugs and Cosmetics Act
 - The Tanzania Food and Nutrition Act

5. The Ministry of Industry, Trade and Marketing (MITM) is the coordinating body for WTO matters. The Multilateral Trade Programmes section of the Ministry of Industries and Trade handles the portfolio. MITM is the WTO focal point for Tanzania.

6. The Inter institutional Technical Committee (IITC) is a WTO standing coordination committee comprising of representatives from relevant Ministries and Institutions, both public and private, overseeing the overall implementation of the WTO Agreement.

7. Technical regulations are proposed to the Minister for Industry, Trade, and Marketing for approval and once approved they are published in the Government gazette. Other Ministries and Institutions involved in the preparation, issuance and implementation of specific technical regulations. These are the Ministry of Agriculture Food Security and Cooperatives, the Ministry of Water and Irrigation, Ministry of Fisheries and Livestock Development, Ministry of Natural Resources and Tourism, Ministry of Communication Science and Technology, Ministry of Infrastructure Development and Ministry of Health and Social Welfare. These are also published in the Government gazette. The Legal Metrology Agency of the Ministry of Industries and Trade is responsible for legal metrology matters.

8. The expected length of time for submitting comments in writing is currently 60 days and the length of time for submitting draft technical regulations is 60 days.

9. The Tanzania Bureau of Standards has been designated as the WTO-TBT Enquiry Point for Tanzania. Its address is as follows:

Tanzania Bureau of Standards
P O Box 9425
Dar es Salaam
Tanzania.
Tel.: + (255) 22 2450206
Fax: + (255) 22 2450959
Email: info@tbstz.org
Website: <http://www.tbstz.org>

10. The Ministry of Industry and Trade and Marketing is the notifying authority hence responsible for submitting all notifications to the WTO via the Tanzania Mission in Geneva. Its address is as follows:

The Ministry of Industry, Trade and Marketing
P.O.Box 9503
Dar es salaam
Tanzania
Tel.: +255 22 2127897/8
Fax: +255 22 2125832
Email: ps@mit.go.tz
