

"AN ACT TO AMEND THE EXECUTIVE LAW OF LIBERIA AND TO ESTABLISH THE LIBERIA STANDARD AUTHORITY"

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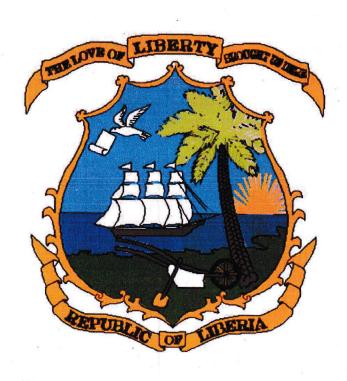


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PREAMBLE

- the relevant Economic Community of West African States (ECOWAS) and Regulation relating to ECOWAS REGIONAL QUALITY FUCTURE including Regulation C/REG. 19/12/13 Adopting the Scheme for the FEGIONAL QUALITY INFRASTRUCTURE, the Supplementary Act A/SA adopting the ECOWAS Quality Policy (ECOQUAL) and its implementation and Regulation C/REG 14/12/12 adopting the ECOWAS Standards Procedures (ECOSHAM);
- ECOWAS Member States have all joined the World Trade Organization each member state is required to develop quality infrastructure that meet standards to reduce the Technical Barriers to Trade (TBT);
- Last better participation in international trade is considered a priority of the Lammission and that ECOWAS Member States have agreed to implement the Guidelines on Technical Barriers to Trade enacted in the framework of the Laments;
- the commitment of ECOWAS Member States to develop national quality so as to improve free movement of goods and services within the lane;
- the necessity to promote standardization and quality in the production and in the Republic of Liberia in keeping with the Liberia National Quality
- THAT, it is incumbent upon the Government of the Republic of Liberia to laws that shall ensure the integration of Liberia into regional and trade systems;
- THEREFORE, it is hereby enacted by the Senate and House of Representatives of Liberia in Legislature assembled.

PART I GENERAL PROVISIONS

E TOTAL F

shall be called An Act to Establish the Liberia Standards Authority of

- SHORT TITLE:

te cited as The Liberia Standards Authority Act of 2018

DEFINITIONS

means a set of rules relating to the methods to be applied or the be adopted in connection with the construction, installation, testing, asset of any article, apparatus, instrument, device or process.

assessment" means the procedure used to determine, directly or the relevant requirement in technical regulations, standards or any validated documentation has been fulfilled.

Inspection" means inspection conducted by Liberia Standards Authority assessment activities requested by customers against national

means the National Standards Council established by Part IV Section 8 of this

means the Chief Executive Officer of the Authority, appointed under

mark means a mark, which has been prescribed under Part V Section 17 mark be likened to a Standard Mark of Conformity and how different mark?

"Laboral Standard" means a standard approved by the Liberia Standards
"Laboral Standard" means a standard approved by the Liberia Standards

any device, brand, heading, label, ticket, name, signature, word, letter any combination thereof;

means the Minister of Commerce and Industry;

means the President of the Republic;

structure (QI)" means physical facilities and the interrelated systems of structures and people with mandates to help organizations implement and improve performance. QI also embraces Standards/Technical Conformity Assessment, Metrology and Cross-cutting issues including

- development, quality promotion, coordination mechanism, Regional and International Standards Setting Fora, etc. that effectively
- means inspection conducted by regulatory inspection bodies made and other regulatory specifications and
- means a description of any commodity by reference to its nature, purity, composition, quantity, dimensions, weight, grade, durability, characteristics, or to any substance or material of or with which, the any commodity may be manufactured, produced, processed or
 - means a document that provides for common and repeated use, rules, maracteristics for products, services, or processes and production that ng terminology, symbols, packaging, marking or labeling requirements approduct, service, process or production method;
- mark" means a mark, which has been declared to be a mark under Part V Section 17 of this Act;
- regard to a commodity, means a system which is designed to achieve a process or to perform a specific function;

PART II AIMS AND OBJECTIVES

- AIM / OBJECTIVE

Act is to:

- Standards in the Republic and the rendering of conformity assessment and related activities including calibration and promotion of quality in public and private sector organizations in the country;
- institution for the development, promotion and maintenance of Liberian rendering training and conformity assessment services and related including calibration and promotion of quality in both public and sector organization in the country;
 - for the establishment of the Council of the Liberia Standards Authority;
- the production of high quality of goods and services in Liberia, whether consumption or for export; and
- industrial efficiency and development

PART III **** ABLISHMENT OF THE LIBERIA STANDARDS AUTHORITY

ESTABLISHMENT OF THE LIBERIA STANDARDS AUTHORITY

established a semi-autonomous agency under the Executive Branch to be known as the Liberia Standards Authority of the Republic of the Ministry of Commerce and Industry shall have oversight and shall serve for the development and promotion of activities of conformity assessment, (quality assurance) and metrology and to matters connected thereto.

means the context otherwise requires "Authority" or "LiSA" means the language Authority established by Section 3.1 of this Act.

shall be a body corporate with perpetual existence and a common

shall, in its own name, be capable of suing and being sued and doing, and acts, things as bodies corporate may lawfully do or suffer

POWERS OF THE AUTHORITY

landards Authority shall have the power to:

contracts and acquire, hold and alienate movable or immovable by whatever lawful means; provided same is done for and in the of its statutory functions, as provided herein;

counterpart and technical relationships with similar and other institutions and organizations in Liberia and abroad, as may be for the effective discharge of its functions;

facilitate, perform and/or require the doing or performance of its necessary or expedient for the effective discharge of any and all of and the achievement of its objectives;

mand operate banking accounts in the name of the Authority;

and of its funds not immediately required;

Authority;

agreements with State organizations and other persons;

les in respect of:

saing of Liberian Standards.

ssung of Standard Marks.

essection and certification).

- Providing any other services ancillary to the above.
 - nterest in respect of money payable but not paid on the due date except, of money payable by the State;
- any activity that is not within the expertise and capacity of the Liberia Authority.

PART IV ADMINISTRATIVE AND ORGANIZATIONAL PROVISIONS

ACCOUNTABILITY AND OFFICES

- of Liberia through the MINISTER of Commerce and Industry and accountable to the President of the annual report of its activities to the President and National
- regional offices, contingent on necessity and requirements.

FUNCTIONS AND DUTIES OF THE AUTHORITY

- Purpority shall perform the functions, which in the opinion of the Council,
 - prejudice to the generality of subsection 1 above, the functions and the Authority shall be:
 - the Standardization needs of the public and private sector
 - provide conformity assessment services in respect of goods, commodities, and practices, and for those purposes, the Authority, may establish purposes and any other facilities as it deems necessary;
 - The provide and maintain reference measurement standards traceable to measurement international measurement standards for calibration needs of the muttry;
 - To provide for the registration and regulation of the use of a wolument of the use of the

- and encourage educational work in connection with
- collect and disseminate information relating to standardization and matters, including the publication of reports, pamphlets, booklets, and any other such publication;
- provide information services, manage the sale of Liberian and meanational standards;
- To house the technical desk for the WTO National Unit in Liberia for matters meated to Technical Barriers to Trade (TBT);
- Technical Committees to develop and amend Liberian Standards, essuring the process follows relevant WTO and ISO/IEC guidelines;
- assist Government departments, local and county authorities as well as any other public bodies in the preparation of the specifications required by them:
- To cooperate with representatives of industry, or with a government department, or any other public bodies or persons with a view to securing the adoption of standards;
- To cooperate with any person or persons, associations, or organizations nutside Liberia having similar functions with a view to furthering the functions of the Authority;
- To solicit and accept for the purposes of the Authority, money, land, or my other property from an organization, or person, by way of grant, subsidy, menation, gift, subscription or otherwise;
- To become a member of or affiliate to regional and international bodies macerned with standardization or a related matter;
- To adopt regional and/or international standards or specifications as suitable for use in Liberia, but that endorsement shall not have the effect of making the specification a 'standard specification' under this Act;
- provide for testing, at the request of the Ministry of Commerce and industry, and on behalf of the Government, of locally manufactured and imported commodities with a view to determining whether such commodities comply with or conform to relevant technical regulations and standards;
- standards.
- The Authority shall be the CODEX Contact Point in Liberia.

To perform such functions as the Minister of Commerce and Industry may assign to the Liberia Standards Authority not specifically mentioned herein but would further the intents of the Liberian National Quality Policy.

7 - ORGANIZATION OF THE AUTHORITY

mority shall have:

- Council of the Liberia Standards Authority;
- 🗐 A Director General; and
- Two Deputy Director Generals for technical services and finance, marketing and administration.

8 - Council of the Liberia Standards Authority

s hereby established a **Council of the Liberia Standards Authority** that shall as a board of directors with oversight responsibilities of the **Liberia Standards**

9 - COMPOSITION OF THE COUNCIL OF THE LIBERIA STANDARDS AUTHORITY

Enuncil shall consist of the following members -

The Minister of Commerce and Industry, as Chair

There shall be a Co-Chair, who shall be elected by the Council;

4 Secretary, who shall be the Director General of the Authority;

Estatutory members- one of each of government ministries and agencies of

- Ministry of Agriculture;
- Ministry of Health;
- Ministry of Finance and Development Planning;
- Ministry of Public Works;
- Environmental Protection Agency;

Won-Statutory members – one of each from:

- National Consumer Council;
- Liberia Business Association
- Liberia Chamber of Commerce;
- Association of Liberian Universities (ALU);
- Any two members from the public.

Statutory members shall be designated by the ministries and against the statutory members shall be designated by the ministries and against the statutory members shall be designated by the ministries and against the statutory members shall be designated by the ministries and against the statutory members shall be designated by the ministries and against the statutory members shall be designated by the ministries and against the statutory members and against the statutory members shall be designated by the ministries and against the statutory members and against the statutory members are statutory members and against the statutory members

including in particular; business management, finance, marketing, machine or foreign standardization and technical infrastructure matters.

members from the public shall be appointed by their respective organizations.

10 - TENURE OF MEMBERSHIP OF THE COUNCIL OF THE LIBERIA STANDARDS AUTHORITY

of the Council, once appointed, shall hold office for a period of four years which they may be reappointed for one more term only.

to the Minister of Commerce and Industry, and his or her membership arminate on the date of receipt of his letter of resignation.

11 - DISQUALIFICATION OF MEMBERSHIP

may not be appointed or continue to serve as a member of the Council if

tas, at any time, been convicted of an offence involving dishonesty;

has, as a result of improper conduct, been removed from an office of trust; or

tas been declared by a court to be mentally unfit.

12 - CONFLICT OF INTEREST OF MEMBERS OF THE COUNCIL

member of the Council may not have a conflict of interest relating to activities the Authority.

member of the Council who has a direct or indirect financial, personal or other meeterst in any matter, which is to be discussed at a meeting and which entails or meeting a conflict or possible conflict of interest must, before or during such meeting, disclose the conflict of interest.

but person may, in writing, inform the Chairperson, before a meeting, of a market of interest or possible conflict of interest pertaining to a member of the Launcil of which such person may be aware.

- Council member referred to in subsections (b) or (c) is obliged to recuse muself or herself from the meeting during the discussion of the matter and the moding thereon.

members of the Council must not be appointed as members of the Board of company established under Section 4.10 of this Act.

■ 13 - FUNCTIONS AND DUTIES OF THE COUNCIL

shall have power to:

and recommend three (3) appropriate and suitable persons through the MINISTER of Commerce and Industry to the President for the appointment of the DIRECTOR General of the Authority;

of executing (a) by the council, indicated positions shall be advertised in and electronic media so that qualified and competent applicants can apply. Council shall finally select and submit names of suitable persons through a competitive process for appointment by the President.

appropriate Rules and Enabling Regulations for effective implementation

inancial, organizational and administrative programs and to ensure the incidentation of the policy;

Support the Authority in its resource mobilization strategy;

Manator the performance of the Authority

we wannual reports presented by the Authority;

two-thirds (2/3) majority vote of the full membership of the Council, where Deputy Director Generals or, recommend to the President for removal of Director General or any member of the Council; in either case only for acts impatible with the Authority or Council rules or regulations.

■ 14 - MEETINGS OF THE COUNCIL OF THE LIBERIA STANDARDS AUTHORITY

of procedure for the conduct of meetings and establish a code of conduct preparations of the Council and members of the Council.

Council shall meet at least two (2) times in every year at the times and pages that the Council may deem appropriate and convenient.

The Chairperson shall preside at the meetings of the Council, and in the absence in the chairperson a member of the Council elected by the members present among themselves shall preside.

The Chairperson may call a special meeting of the Council and shall call a special meeting of the Council when requested to do so by a requisition in writing signed at least three members of the Council.

meeting of the Council, seven members shall form a quorum.

Tuestion before a meeting of the Council shall be determined by a majority of two votes of the members present and voting and in the event of an equality of the person presiding shall have a casting vote. However, removal of deputy a rector generals shall be carried out only by a 1/3 majority of the full Council.

- A special meeting shall not be held, unless at least five days' notice in writing and the business to be transacted at the meeting has been given to the members of the Council.
- Subject to this Act and to the Rules, the Council may regulate its own procedures.

15 - THE DIRECTOR GENERAL OF THE AUTHORITY

- The Director General, an appointed official of government shall be Liberian qualified in the area of standardization and technical infrastructure matters; and shall be the administrative and technical head of the Authority, and shall direct and administer the day-to-day activities;
- The Director General shall, in consultation with his/her Deputies, exercise the following duties:
 - Exercise the functions and duties of the Authority specified under Part IV.
 Section 6 of this Act;
 - Carry out personnel affairs of the Authority consistent with the basic principles of the Liberian Labors Law;
 - Prepare and submit to the Council, the annual plan and budget of the Authority and implement upon approval;
 - Effect payments in accordance with approved budget in line with the approved annual plan of the Authority;
 - Submit annual reports to the Council;
 - Establish technical committees with the approval of the Council;
 - Approve certificates and licenses as referred to in Part IV, Section 6.

The Director General shall designate any of his or her deputies as official-inmarge of the Authority incase of travels, special assignment or leave.

the event of the occurrence of a vacancy emanating from the death, resignation, retirement or dismissal of the Director General, the President of Liberia shall designate one of the Deputy Director Generals as Acting Director General, pending the appointment of a new Director General.

TON 16 - ADMINISTRATION OF THE AUTHORITY AND DELEGATION OF POWERS AND DUTIES

Authority shall have the power to determine the level of officers and employees med required, and to establish the positions thereof to optimize the performance are Authority's functions. These positions shall thereof be filled in through a propertitive process, which shall be approved by the Council.

general or special order in writing, the Authority may temporarily delegate any of its powers, to the extent the Authority deems it necessary for the efficient performance of the Authority's functions. Such delegation shall be limited to a specific time period, and restricted to those functions specifically identified in the

order of delegation. The Chairman of the Council must approve such

PART V STANDARDS

17 - STANDARDS

Authority may in accordance with the advice of the appropriate committee, mediate a standard, including an international standard, to be a national standard for the purpose of this Act and may in accordance with the advice of that mittee amend or revoke the declaration.

Wherever the Authority declares a specification to be a standard or amends or revokes a standard, notification of the declaration, amendment or revocation be published.

standard, amendment, or revocation shall, in addition, be declared in the manner specified by the Rules.

Liberia Standards Authority shall publish the procedures and processes to medare, amend or revoke a standard.

18 - LICENSES TO USE STANDARD MARK

person desiring to use a standard mark in connection with goods, a memodity, a process, or a practice, may apply to the Authority in the manner determined or prescribed by the Authority.

Authority may, if it is satisfied that the goods, commodity, process, or practice with respect to which the applicant desires to use a standard mark conforms to a standard specification, grant to the applicant a license to use a standard mark on, or subject to, the conditions the Authority may think fit or as prescribed by the Rules.

Example 2 is a second of the s

license for the period of six months, not exceeding one year at any time.

A scense shall be deemed to have been renewed for periods of one year, unless specifically revoked.

person to whom a license is granted under this section shall, if and when required by the Authority so to do, submit a sample for examination or testing or submit the information required by the Authority.

A sample required under section (17) to be submitted for examination or testing may be selected at random by a person authorized by the Authority.

- where a sample has been submitted or selected for examination or testing, the measure shall pay the prescribed costs for the examination or testing.
 - The Authority shall keep a register in which there shall be recorded the details of a scense granted under this section.
 - The register shall at reasonable times be open for inspection by the public at the write of the Authority.
 - The Authority may revoke a license granted under this section, for good cause.
 - + person aggrieved by the revocation may appeal to the Minister not later than twenty-eight days after the date of the revocation.

The Minister may confirm, reverse or otherwise vary the Authority's massion based on the recommendation of a mediation committee.

PART VI FINANCIAL PROVISIONS

19 - Sources of Funding

the activities of the Authority shall include:

- and verifications and calibrations exercises) or the regulations by or on behalf of the Authority or the Council;
- anding through the national budget as approved by the National Legislature;
- the other such funding that the Authority may acquire through grants, aid or the

20 - AUTHORIZING OF PAYMENT OF MONEY

Surestor General may, out of the funds of the Authority, authorize the payment of all sures of money as may be necessary to enable the Authority to discharge its under this Act and give effect thereto in accordance with relevant national

21 - ACCOUNTS OF THE AUTHORITY

munts of the Authority shall be handled by the designated staff hired to do so, accounts shall be examined, audited and reported upon annually by the Heneral or as the General Auditing Commission schedule may permit.

■ 22 - Annual Report of the Authority

materity shall submit to the Council an annual report at the end of each fiscal year, mall be subsequently presented to the President, and the National Legislature MINISTER of Commerce and Industry.

PART VII INDEMNITY

11 23 - LIMITATION OF LIABILITY

The fact that the goods, commodity, process, or practice conforms, are or are alleged to conform to a standard, or the fact that a standard mark is used in manufaction with the goods, commodity, process or practice shall not give rise to a magainst the Government or Authority.

PART VIII MISCELLANEOUS PROVISIONS

24: OFFENSES AND PENALTIES

serson who

mark with reference to any commodity, process or practice which conveys or is beely to convey the impression that a person who is not licensed to use the LISA standard mark with reference to that commodity, process or practice is so been or is otherwise entitled to use the LISA standard mark; or

tay be subject to a fine, suspension or revocation of license as promulgated in the Regulations..

1 25: DEFENSES:

shall not be liable if he or she proves that the offence was committed without per per knowledge or that he or she exercised due diligence to prevent the mission of the offense.

26: REGULATIONS

ster of Commerce and Industry may make regulations regarding any ancillary ental administrative or procedural matter that is necessary to prescribe for the cuplementation or administration of the Bill.

PART IX TRANSITIONAL PROVISIONS

1 27: TRANSITION

smooth implementation of this Act and in the interest of continuity, these and provisions are hereby set in place.

- National Standards Laboratory was established through the Ministry of the Ministry to provide trade facilitation services in accordance with memational standards as well as international best practices. The National Standards Laboratory currently provides metrology and conformity assessment expices; two of the three key components of a national standards body.
 - For purposes of ensuring that the Authority begins operations with immediate effect after the passing of this Act, the National Standards Laboratory is therefore, the entity best position to be transitioned into the Liberia Standards Authority.
 - The National Standards Laboratory is hereby transitioned into the Liberia Standards Authority.
 - The employees, assets and liabilities of the National Standards Laboratory shall are transferred to the Liberia Standards Authority immediately upon the coming and effect of this Act.
 - The current offices of the National Standards Laboratory shall be the home of the Liberia Standards Authority
 - Adjetary allocations provided in the current budget shall be used to run the affairs of the Authority until such time and a carticipate in the process of presenting a consideration by the National Legislature.
 - where the budget for the next fiscal is passed before the Authority is superational, budgetary allocations for National Standards Laboratory for the next fiscal year shall be used to fund the Authority.
 - The Authority in this transition stage shall have all other powers that are stated terein.

SECTION 28 - EFFECTIVE DATE

- Les Act shall take effect immediately upon publication into handbills.
- LAWS TO THE CONTRARY NOTWITHSTANDING

ORGANOGRAM OF LISA FOR PURPOSES OF THIS STANDARDS ACT Minister of MoCI Council Director General Deputy DG for Deputy DG for Finance, Marketing & **Technical Services** Administration Administration, Conformity Standards Metrology Finance, Marketing & Assessment Department Department **Customer services** Department Departments Certification Scientific, (product and Legal and system), Industrial Inspection and Metrology Testing

FIFTH SESSION OF THE FIFTY-FOURTH LEGISLATURE OF THE REPUBLIC OF LIBERIA

HOUSE'S ENGROSSED BILL NO. 12 ENTITLED:

"AN ACT TO AMEND THE EXECUTIVE LAW OF LIBERIA AND TO ESTABLISH THE LIBERIA STANDARDS AUTHORITY"

On Motion, the Bill was read. On motion, the Bill was adopted on its first reading and sent to committee Room on Thursday, May 26, 2022 @ 13:31 G.M.T.

On Motion, the Bill was taken from Committee Room for its second reading. On motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Thursday, June 2, 2022 @ 13:34 G.M.T.

CHIEF CLÉRK, HOUSE OF REPRÉSENTATIVES, R.L.

10. Days

FIFTH SESSION OF THE FIFTY-FOURTH LEGISLATURE OF THE REPUBLIC OF LIBERIA

SENATE'S ENDORSEMENT TO HOUSE'S ENGROSSED BILL NO: 12 ENTITLED:

"AN ACT TO AMEND THE EXECUTIVE LAW OF LIBERIA AND TO ESTABLISH THE LIBERIA STANDARD AUTHORITY"

On Motion, Bill read on its 1st reading, Tuesday, June 7, 2022 at the hour of 12:58 GMT. On motion, Bill read on its second reading an adopted and sent to Committee Room on Thursday, June 9, 2022 at the hour of 12:19 GMT.

On motion, Bill taken from the Committee Room. On motion under the suspension of the rule, the second reading of the Bill constituted the third and final reading and the Bill was adopted, passed into the full force of the law today, and ordered engrossed today. Thursday, June 9. 2022 @ 14:20 G.M.T.

SECRETARY OF THE SENATE, R.L.

ATTESTATION TO:

ACT TO AMEND THE EXECUTIVE LAW OF RIA AND TO ESTABLISH THE LIBERIA DARDS AUTHORITY"

PRESIDENT OF THE SENATE

SECRETARY, LIBERIAN SENATE

PEAKER, HOUSE OF REPRESENTATIVES, R.L.

Milded M. Sayon TEF CLERK, HOUSE OF REPRESENTATIVES, R.L.





THE HONORABLE HOUSE OF REPRESENTATIVES

Capitol Building P.O. Box 9005 Monrovia, Liberia Website: www.legislature.gov.lr



Lice of the Chief Clerk 86549359 | 0886427028

-2022-

FIFTH SESSION OF THE FIFTY-FOURTH LEGISLATURE OF THE REPUBLIC OF LIBERIA

SCHEDULE OF HOUSE'S ENROLLED BILL NO. 10 ENTITLED:

"AN ACT TO AMEND THE EXECUTIVE LAW OF LIBERIA AND TO ESTABLISH THE LIBERIA STANDARDS AUTHORITY"

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR EXECUTIVE APPROVAL

THE PRESIDENT OF THE REPUBLIC OF LIBERIA