



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

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

**REGULATION C/REG.11/6/17 ON ORGANIZATION AND OPERATION  
OF THE COMMUNITY CONFORMITY ASSESSMENT 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);

**CONSIDERING** that the promotion of the quality of products and services cannot be done without a good Conformity assessment system with standards;

**CONSIDERING** that Compliance with the standards must be subject to a harmonized policy and allow mutual acceptance of securities issued by certification agencies;

**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. *HK*

## ENACTS

### CHAPTER I: GENERAL PROVISIONS

#### SECTION I: DEFINITIONS AND PURPOSE

##### a. **Conformity Assessment**

Demonstration that specified requirements relating to a product, process, system, person or body are met.

The specified requirements can be formulated in standards and regulatory documents such as standards and technical specifications.

##### b. **Conformity Assessment Body**

Organization whose activity reports the Conformity assessment and may be subject to a certification in accordance with requirements defined by normative documents recognized at the international level.

##### c. **Conformity Assessment System**

All the rules, procedures and management used to carry out the Conformity assessment

##### d. **Certification**

Attestation issued by a third party, related to products, processes, systems or persons

##### e. **Certification body**

Organization that is conducting one or more of the following certifications, including the award or denial of quality labels: Product certifications; Management system certification; Certification of personnel.

##### f. **Certification Mark**

Sign, attesting the certification of a product and imperatively including the name of the certification body (in print) and optionally the certification program logo.

##### g. **Certification Program**

The Implementation of a system of certification of products for the assessment of systems of production, processing, handling and marketing according to given standards.

##### h. **Inspection**

Review of the design of a product, service, process or a 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";

Inspection of the process may include inspection of personnel, facilities, technology or methodology

**i. Inspection Body**

Organization conducting the inspection.

**j. Test**

Technical operation for determining one or more characteristics of materials, products or processes, according to a specified procedure

**k. Testing Laboratory**

Laboratory Conducting Test

**l. Accreditation System**

System developed from specific rules, conditions, procedure and management aimed at the accreditation of certification bodies, inspection bodies and testing laboratories, analysis and calibrations

**m. Accreditation**

Attestation issued by a third party, related to a Conformity assessment body (certification body, inspection body, testing laboratories, calibration and analysis), constituting a formal recognition of the competence to carry out specific Conformity assessment activities.

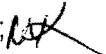
**n. Certificate of accreditation**

Formal document comprising of a main page and a technical annex stipulating that the accreditation or approval has been granted for a scope defined by a competent authority.

**o. Calibration**

Activity that aims to establish, under specified conditions, the relationship between the values of the size indicated by a device or a measuring system, or values represented by a material measure or a reference material, and the corresponding values of the size made by standards;

**p. Calibration Laboratory**

Body which carries out calibrations; 

**q. Reference Materials**

Material or substance which one or more values of the properties is or are sufficiently homogeneous and well defined to allow its use for the calibration of an apparatus, the assessment of a measurement method or the assignment of values to materials;

**r. Reference materials producer**

Technically competent body (organization or firm, public or private) who is completely responsible for assigning the certified properties or others of the reference materials that it produces and distributes;

**s. Aptitude Test**

Performance assessment of a laboratory for tests or calibrations using inter comparisons. Inter comparison, means the Organization, execution and assessment of tests or calibrations of identical objects or similar by at least two different laboratories in predetermined conditions;

**t. Organizer of Aptitude Tests**

Body which manages the aptitude tests.

**u. Peer Review**

Evaluation of a body, according to specified requirements, by representatives of other organizations that are part of an agreement group, or having their candidature for this agreement group.

**v. Approval**

Authorization to commercialize or use a product or a process or in defined conditions

**w. Appointment**


Appointment by a Government of a Conformity assessment body to carry out specified Conformity assessment activities.

**x. Appointing authority**

Body established within the Government, or authorised by it, responsible for appointing the Conformity assessment bodies, to suspend, remove or reassign their appointment

y. **AFRAC**: African Accreditation Cooperation

z. **IAF** : International Accreditation forum

aa. **ILAC** : International Laboratory Accreditation Co-operation 

## **ARTICLE 2: PURPOSE**

The purpose of this Regulation is to specify the rules for the organization and operation of the Community Committee for Conformity Assessment established by Article 7 of Regulation C/REG19/12/13 on the Regional Quality Infrastructure Scheme of ECOWAS.

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

### **ARTICLE 3: OBJECTIVES**

The objectives of the Community Conformity Assessment Committee are:

- a) Help ensure that the products inserted into the ECOWAS market, meet a level of quality and safety in Compliance with the technical standards and regulations;
- b) Help ensure transparency between companies and users of information on the characteristics and/or performance of the products;
- c) Help buyers, sellers and other stakeholders to agree on the procedures of Conformity assessment in order to avoid delays and the multiplication of inspection operations / testing or product certification.


### **ARTICLE 4: MISSIONS**

The missions assigned to the Community Conformity Assessment Committee are as follows:

#### **1. IN TERMS OF ANALYSIS AND TESTS**

- a) Ensure the harmonization of the methods of analysis and testing;
- b) Propose to the National laboratories Commission, analysis and tests in order to entrust them with regional missions in priority areas;
- c) Encourage the setting up of a regional network of accredited laboratories

#### **2. CERTIFICATION OF PRODUCTS**

- a) Adopt the General rules of management of the Regional Brand of Conformity to ECOWAS standards;
- b) Ensure the technical validation of records of entrustment of the national standards bodies for the allocation of the mark of Conformity with regional standards. 

### **3. INSPECTION**

- a) Ensure the harmonization of methods and techniques of inspection through the development of the relevant directives;
- b) Propose mechanisms for monitoring the implementation of the directives on the inspection through the concerned departments and the Member States.

### **ARTICLE 5: MEMBERS**

The Community Conformity Assessment Committee is composed of eighteen members divided as follows:

- a. Official Members comprising of fifteen representatives of the Member States,
- b. Members nominated and proposed by the concerned organizations:
  - i. Two representatives of the private sector specializing in the field of Conformity assessment;
  - ii. A representative consumer rights organizations recognized by the Commission, under the civil society.

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

### **SECTION I: ORGANIZATION OF THE COMMUNITY CONFORMITY ASSESSMENT COMMITTEE**

The organs of the Community Conformity Assessment Committee are:


- a) The Office of the President;
- b) The Permanent Secretariat;
- c) The Sub-Committees.

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

1. There shall be a President of the Community Conformity Assessment Committee, 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.
3. The President chairs all meetings of the Committee. He is assisted by the Vice-President and two rapporteurs for each session. *RS*

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 shall represent the Community Conformity Assessment Committee with respect to third parties.

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

1. The Regional Quality Organism shall be responsible for the Permanent Secretariat of the Community Conformity Assessment Committee as mandated for this purpose in the framework of a Memorandum of Understanding pursuant to Section 12 paragraph 4 of the ECOWAS Quality Policy adopted by Supplementary Act A/SA.1/02/13.
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;
  - a) assist the rapporteurs at meetings of the Committee;
  - b) follow the progress of the work undertaken by the Committee in collaboration with the President;
  - c) contribute to the establishment of the working group;
  - d) manage all common relationships, especially between the members of the Committee, the ECOWAS Commission and external partners;
  - e) 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: SUB-COMMITTEES**

1. The Community Conformity Assessment Committee consists of three subcommittees. The setting up of subcommittees is dependent on the nature of products and activities identified as priorities.
2. The activities of the sub-committees are overseen by the President of the Committee.
3. The reports from the sub-committees are presented during the sessions of the Committee.

## **SECTION II: OPERATION OF THE COMMUNITY CONFORMITY ASSESSMENT COMMITTEE**

### **ARTICLE 9: RULES OF PROCEDURE**

All other modalities of organization and functioning of the Community Conformity Assessment Committee, including the organization and operation of the working groups shall be specified in the rules of procedure.

### **ARTICLE 10: FINANCIAL PROVISIONS**

An enabling rule shall set forth modalities for funding the Community Council for Quality, the Community Committee for Conformity Assessment.

## **CHAPTER III: FINAL PROVISIONS**

### **ARTICLE 11: CONFIDENTIALITY**

1. Members, observers, resource people and members of the working groups are bound to secrecy on the content of the discussions during the meetings.
2. The draft documents of the Community Conformity Assessment Committee are restricted unless otherwise decided by the President.

### **ARTICLE 12: TYPES OF CONFORMITY ASSESSMENT**

The Community Conformity Assessment Committee takes necessary steps to ensure the implementation of the three types of conformity assessment in ECOWAS Member States, namely:

- a) First party assessment
- b) Second-party assessment
- c) Third party assessment *MD*



**ARTICLE 13: CONFORMITY ASSESSMENT ACTIVITIES**

In order to ensure the credibility of conformity assessment activities in ECOWAS, the Community Conformity Assessment Committee promotes the activities listed below:

- a) Inspection
- b) Testing and calibration
- c) Product certification
- d) Certification of systems

**ARTICLE 14: COOPERATION IN THE FIELD OF CONFORMITY ASSESSMENT**

The Community Conformity Assessment Committee, in conjunction with the Regional Quality Organization organizes the terms of cooperation in the area of Conformity assessment between Member States and the Commission and other commercial, regional and international blocs.

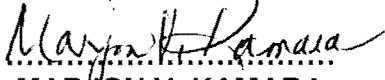
**ARTICLE 15: REPEAL / REVIEW**

- 1. The present text repeals and replaces all earlier contrary provisions.
- 2. If a Member State wishes to the revision of this regulation, it shall notify the Chairman of the Commission with a reason motivated request.

**ARTICLE 16: 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**

  
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**MARJÓN V. KAMARA**

**THE CHAIRPERSON,**

**FOR THE COUNCIL**

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