
10 Summary of Recommendations

The following is a full list of the Review's recommendations. They are listed in the numerical order in which they appear in the Final Report.

Recommendation 1: The Standards Act be amended to enable preparation and co-ordination of South African National Standards by the SABS.

Recommendation 2: A new Act, the "Technical Regulations Act", be created to enable the administration of technical regulations on behalf of the Minister for Trade and Industry.

Recommendation 3: A new Act, the "Regulatory Reform Act" be created to provide an ongoing review of needs for technical regulations; establish compliance of existing regulations with best regulatory practice principles; promulgate requirements for regulatory (mandatory) marks; and control use of such marks, and oversight proper use of voluntary accreditation and conformity assessment marks in general.

Recommendation 4: Cross-representation on the governing bodies of the DTI recognised SQAM institutions be increased.

Recommendation 5: A stakeholder based SQAM Advisory Forum be established to advise Government on national SQAM policy and strategies relevant to SQAM activities, and to review submissions and prioritise funding support for development programs arising from a proposed national strategy for quality.

Recommendation 6: The DTI be the primary South African Government Department responsible for SQAM, and be resourced with the necessary staff, funding and Government commitment to undertake all duties and obligations related to SQAM, including any additional activities arising from adoption of recommendations in this Review.

Recommendation 7: A central register (web-site and hardcopy) of accredited conformity assessment bodies, certified or registered companies, and certified products be established by the South African Government.

Recommendation 8: The proposed Office of Regulatory Reform is to: (i) review existing approaches for formulation of technical regulations contained in legislation and legislative instruments, and develop a best practice approach for technical regulation formulation; (ii) conduct a comprehensive review of existing technical regulations contained in legislation, including legislation relevant to trade and legal metrology; (iii) require that regulatory impact

assessments be compulsory for all future formulation of technical regulations; and (iv) establish the principles for any regulatory marks used in South Africa and (v) monitor any potential abuses of such regulatory marks and conformity assessment marks in both the voluntary and mandatory sectors.

Recommendation 9: A legal metrology framework embodying international practices for control of measurements be established by the proposed Office of Regulatory Reform as part of the general framework of technical regulations.

Recommendation 10: The adoption of regulatory marks within South Africa be subject to strict control and only be adopted in accordance with the principles enunciated in this Review Report.

Recommendation 11: The processes that determine and manage SQAM funding, be reviewed and strengthened by government in accordance with the principles outlined in this report to achieve greater accountability.

Recommendation 12: An overarching government strategy for entry into MRAs in the regulated sector be developed, taking into account the issues raised in this Review, to ensure that only MRAs that have the potential to become cost effective are negotiated.

Recommendation 13: South Africa's involvement in international standards committees be reviewed to ensure resources are targeted where they are of most relevance to South African industry and state of development.

Recommendation 14: Delegates to international technical committee meetings should be representatives of South African industry, research or government, representing national committees, and be selected on the basis of technical skills, knowledge of the critical issues and national committee support.

Recommendation 15: The amended Standards Act to clearly define the SABS as the national standardisation body and the sole body responsible for recognising SDO's for the preparation of South African National Standards.

Recommendation 16: The SABS standards be re-designated as "South African National Standards" and numbered accordingly.

Recommendation 17: The SABS be reclassified from a Science Council Statutory Body to a Statutory Body responsible to the Minister of Trade and Industry with funding through a direct grant from DTI, which would also retain overall policy direction for national interest activities.

Recommendation 18: The establishment of a SABS Advisory Board that provides strategic direction and advise to the SABS Council. The proposed Advisory Board should be formally constituted and be representative of major stakeholders. The SABS Council continues to oversee the operations of the SABS, with representatives elected from stakeholder groups, but with an emphasis on the election of individuals with demonstrated business acumen.

Recommendation 19: A senior level DTI representative be on the SABS Council.

Recommendation 20: The SABS test-house and certification activities be corporatised into a wholly owned tax paying subsidiary of the SABS, free to compete nationally, regionally and globally.

Recommendation 21: Governance of the new 'testing and certification' company be through an independent Board, with the SABS represented on the Board by not more than two members of the SABS Council.

Recommendation 22: A dedicated allocation be established to allow funding of delegates to attend international technical committee meetings where such delegates have the national committee support but do not have the resources to fund attendance.

Recommendation 23: The Government should review the appropriateness and level of funding for standards development and the SABS be encouraged to develop value-added services to complement its standards role and implement innovative ways of selling its standards and services . Any legislative or policy impediments to developing these services to be removed.

Recommendation 24: The SABS should review the practice of direct subsidisation of SMME certification with a view to phasing it out.

Recommendation 25: Standards Sector Advisory Boards be established covering the main sectors of South African commercial activity, to advise on policy overview relevant standards programs and resolve any disputes on technical issues.

Recommendation 26: Chairpersons of technical committees, subcommittees and working groups be chosen from committee members wherever possible and reduce the reliance on the SABS staff officers in these roles.

Recommendation 27: The NML continue to be positioned within the CSIR, but with the status of a separate division (or equivalent) to reflect its national role in the standards and conformance infrastructure.

Recommendation 28: The Memorandum of Agreement dated 28 August 1998 between the Government and the CSIR in regard to responsibilities for national measuring standards be revised to include, inter alia, the establishment, composition and terms of reference of an NML Management Board to oversee the operation of the NML and an NML Advisory Board to provide strategic direction and advice to NML.

Recommendation 29: The Measuring Units and National Measuring Standards Act (Act 76 of 1973) be amended to accept legal traceability to foreign measurement standards in instances where the foreign measurement system can be demonstrated to meet the criteria of the relevant international MRAs. The legislation provide for NML and SANAS to offer specialist advice on whether the international criteria are met.

Recommendation 30: Government funding, as a fraction of total funding, for the development and maintenance of national measurement standards be maintained at a level at least equivalent to international norms for national metrology institutes (typically 70-80%).

Recommendation 31: R&D be recognised by DTI as an essential activity for NML to gain international recognition for its metrology at a level sufficient to support South Africa's membership of key Consultative Committees. NML's R&D requirements be reviewed annually by the NML Management Board and the NML Advisory Board and a prioritised program submitted to DTI for consideration and funding.

Recommendation 32: A higher national profile be established by the NML to enhance its recognition by industry as the national provider of measurement traceability.

Recommendation 33: NML staff succession planning and skills development be reviewed at least annually by the NML Management Board to ensure that NML is building appropriate expertise to meet strategic goals.

Recommendation 34: The NML continue its program of training and dissemination of measurement traceability to SMMEs but also seek to identify complementary SMME initiatives in CSIR, other SQAM institutions and government with a view to fostering joint delivery. DTI be asked to assist in identifying funding opportunities for delivery of such programs especially through SMME support programs in government.

Recommendation 35: NML continue to be required not to compete with commercial laboratories, and particularly SANAS-accredited laboratories, in the delivery of its services.

Recommendation 36: All references to the accreditation functions of SABS (apart from any potential accreditation function for standards development organisations) be removed from the

Standards Act. The current accreditation activities of SABS be transferred as soon as possible to SANAS as the Government endorsed national accreditation authority.

Recommendation 37: The CSIR Act (Act 46 of 1988) be amended to remove CSIR's authority to accredit laboratories.

Recommendation 38: An Accreditation Act be promulgated with legal personality for SANAS acquired in that Act as a Section 21 Company through the Companies Act. In the short term the current MOA with the DTI should be redrafted to become a whole of Government MOA.

Recommendation 39: The South African Government limit the liability of SANAS for its conduct of national interest activities on behalf of the Government, including activities conducted on behalf of regulators.

Recommendation 40: SANAS to undertake more comprehensive business development planning including investigation of future demands for its various services to assist in its goal of appropriately reducing the overall contribution to its income from Government.

Recommendation 41: Recognition of SANAS as the national accreditation body be, and be seen to be, a whole of government recognition. DTI continue to be the appropriate administration and funding link to SANAS, but undertake appropriate liaison with other Government Departments to ensure their accreditation needs are addressed and that duplication of SANAS functions does not occur through separate activities conducted or commissioned by such Departments.

Recommendation 42: The Memorandum of Agreement between SANAS and the Government be redrafted by DTI, following interdepartmental discussions, and be endorsed by Cabinet to clearly identify SANAS as the sole national body operating on behalf of all of Government.

Recommendation 43: Rolling three-year projected funding commitments for agreed national interest activities be provided by DTI to allow SANAS to undertake appropriate resource planning and development.

Recommendation 44: Government seek participation from SANAS in trade negotiations, when appropriate, and this be recognised as a national interest activity with funding provided for participation in relevant international forums and in trade negotiations including MRAs, as part of SANAS's national interest funding. Similarly, support for trade negotiations should be sought and funded for other SQAM institutions for aspects affecting their national roles or in their areas of expertise.

Recommendation 45: SANAS should actively market the availability of Government financial support, under the current supply side incentives, to SMME's in the manufacturing sector who wish to become accredited. In addition, SANAS should actively lobby the Government to include accreditation as a qualifying activity as and when incentive schemes for services industries are developed.

Recommendation 46: Conformity assessment service providers used by regulators in the technical regulation domain must be accredited by SANAS and approved by the regulator for that purpose.

Recommendation 47: Responsibility for enforcement of trade metrology be returned to national government, and the function not be devolved to provincial governments until such time as they have the necessary resources to address the responsibilities.

Recommendation 48: A Trade Metrology Unit be established within DTI to take responsibility for coordination of the national system of trade metrology, including overall administration of the Trade Metrology system

Recommendation 49: In taking up its trade Metrology responsibilities, the DTI should carefully review the location of trade metrology responsibilities and re-allocate them in a manner that best meets the needs of trade metrology. The DTI trade metrology regulator may delete specific responsibilities to recognised organisations.

- (i) Policy development and maintenance of relevant legislation - DTI
- (ii) Inspection and enforcement activities - DTI or its nominated agency (with delivery by provincial and regional offices where appropriate capability exists)
- (iii) Training activities – DTI or its nominated agency (with technical input from NML)
- (iv) Overview of verification activities – DTI or its nominated agency (with delivery by SANAS-accredited private sector laboratories)
- (v) Accreditation of private sector verification laboratories - SANAS
- (vi) Technical inputs to policy, type approval and technical input to training activities – NML
- (vii) Calibration – NML, or other appropriate SANAS-accredited calibration laboratories (as warranted by accuracy requirements)
- (viii) Representation at the International Organisation of Legal Metrology – DTI trade

metrology (with NML input)

(ix) representation at the SADC Cooperation in Legal Metrology – NML (with DTI policy input)

Recommendation 50: Recommendations of the International Organisation of Legal Metrology (OIML) be adopted wherever applicable to satisfy the provisions of legal (including trade) metrology. Specifications from other sources be used only in exceptional cases where the OIML Recommendations do not cover particular South African requirements.

Recommendation 51: South Africa must continue to participate in the drafting of OIML recommendations, including attending the international meetings of committees that are drafting recommendations of direct relevance to South Africa. These national interest activities be funded by Government.

Recommendation 52: The proposed Trade Metrology Unit of the DTI undertake an urgent review of funding requirements to restore trade measurement inspection functions in the Provinces, and sufficient funds immediately be allocated by Government to re-establish this function under centralised control.

Recommendation 53: No organisation in the quality arena should be recognised by Government (by means of a MOU or other direct mechanism) as the “official” Government quality promotion organisation. Funding mechanisms should reflect this approach with funding allocated on a contract-by-contract basis.

Recommendation 54: The South African Government play a more active role in quality and business excellence promotion through national policy and strategy formulation and targeted Government funding that reflects that strategy.

Recommendation 55: A system for quality and business excellence promotion be established, with the SQAM Advisory Forum advising and assisting Government in developing national strategy, identifying projects and prioritising funding allocations for agreed activities.