

Draft as 17 Aug. 2005

economical, social, environmental areas subject to standardization.

3. 'Standard' that means documents prescribing properties of, and requirements on standardized objects__adopted by a body, aimed at the achievements of the optimum degree of order in a given context.
4. 'National standard' : A standard that is adopted by the State Standards Authority
5. 'Organization's standard' : A standard that is adopted by an organization and applicable for them.
6. 'Foreign standard' : A standard that is adopted by a foreign body;
7. 'Regional standard' : A standard that is adopted by a regional standardization organization.
8. 'International standard' : A standard that is adopted by an international standardization organization.
9. 'Technical regulations' : A technical document that lays down the characteristics and requirements to standardization objectives adopted by the competent agencies subject to the madatory implementation of all concerned organizations and individuals
10. 'Conformity assessment' : An activity that is carried out to determine conformity of products, goods, processes and servicesag669d6(rders Autuctss)Tjtgu

standards certification) or technical regulations (in short, as regulations certification);

13. 'Accreditation' that means the assessment and verification by the accreditation authority on the competence of laboratories, calibration laboratories, certification and inspection bodies to meet the relevant criteria.

Article 4 . Basic Principles

1. Based on the scientific achievements, experiences, current needs and socio-economic development.
2. Non - discrimination.
3. Avoidance of obstacles to production, business and service activities.
4. Prior to use the international and regional standards as the basis of the national standards and technical regulations except when such international standards or relevant parts would be an ineffective or inappropriate because of fundamental climatic or geographical factors, fundamental technological problems or national interest.
5. Development procedures for Standards, technical regulations and conformity assessment must be transparent and adequately publicized.

Article 5 . Policy

1. The State takes measures to enhance scientific researches and technological development in order to promote standardization activities; to ensure the technical infrastructures and facilities, personnel training to the development and application of the national standards and technical regulations ;
2. The State encourages all Vietnamese organizations and individuals, the foreign organizations and individuals and the Vietnamese overseas people to invest in the standardization activities in Vietnam ;
3. The State creates the favorable conditions for expansion of the cooperation with international and regional organizations and foreign organizations and individuals in the area of standardization on a basis of respect for national sovereignty and interests as well as mutual benefits.

Article 6. Content of the State management over standardization

1. Formulating and organizing the implementation of policies, strategies, masterplans and programs on standardization;
2. Approving and organizing

2. The Ministry of Science and Technology shall take responsibility before the Government for uniformly exercising State management over standardization.
3. Other ministries, ministerial level agencies, governmental agencies shall exercise State management over standardization within powers and ambit under the assignment of the Government
4. The People Committee of the provinces and cities belonging to the Central Government within powers and ambit shall exercise the State management over standardization in localities under the authorization of the Government.

Art 8. Rights

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1. Developing the organization's standards or identifying the standards to apply to their own products, goods, services and processes;
2. Declaring standards conformity , regulations conformity as requested by law;
3. Ensuring their own products, goods, services and processes in meeting standards and technical regulations as declared;
4. Participating in and contributing to the development of national standards and technical regulations as required.

Art 9. Obligations

1. Taking advantage of standardization to illegally tackle the production, business and service of organizations and individuals;
2. Taking advantage of standardization to cheat consumers;
3. Taking advantage of standardization to harm the interests of national interest, security and defence, human safety, social order and legal interests of the organizations and individuals;
4. Not observing the relevant technical regulations in their business.

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Preparation, Adoption and Application of Standards

Art 10. Tiêu chuẩn

1. System of Vietnamese standards comprises:
 - a) National Standards, in abbreviation as TCVN
 - b) Organization's standards. The symbol of these standards is decided by the organization taking into account that two first letters of symbol should be abbreviated as TC.
2. Adopting competence:
 - a) Minister of Science and Technology adopts the National Standards, except standards in the field of security, defence as adopted by Minister of Police and Minister of Defence respectively.
 - b) The organizations adopt the organization's standards.

Art 11. Tiêu chuẩn

1. Product standard: A standard that lays down requirements to be fulfilled by a product or a group of products, inter alia, including terms, definitions, classification, symbols, marking, sampling, test methods, packaging, labelling and storing requirements.., to establish its fitness for purpose.
2. Service standard: A standard that lays down requirements to be fulfilled by service such as environment, hotels, transportation, telecommunication, insurance, banking, trading..., to establish its fitness for purpose.
3. Process standard: A standard that specifies requirements to be fulfilled by a process, inter alia, including production, operation, storing, transportation and use of a product, goods and other processes in economic, social and environmental management, to establish its fitness for purpose.
4. Basic standard: A standard that has wide-ranging coverage or contains general provisions for one particular field. It lays down general provisions for one or more sectors or areas including

environment, measurement units; physical, chemical and biological constants; mathematic symbols; design drawings; preferred numbers and dimensions; other common rules and requirements.

5. Terminology standard: A standard that describes terms and definitions thereof of standardized objects
6. Technical standard: a standard that lays down the parameters and requirements thereof of the standardized objects.
7. Testing standard: A standard that lays down sampling, test, determination, measurement, analysis, examination, expertise, inspection and/or statistical methods for technical requirements of standardized object
8. Standard of labeling, packaging, transportation and/or storage: a standard that lays down the requirements of labeling, packaging, transportation and storage of products and goods.

Article 12. Drafting

Section 1

1. The Ministry of Science and Technology shall preside and coordinate with the concerned ministries and branches to organize the drawing up of, and approve, work program on preparation of national standards
2. Within 30 days since as the approval, the Ministry of Science and Technology shall have to notify the work program on preparation of national standards on journals, newsletter and webpage of the Ministry.

Article 13. Review

Section 2

1. Proposing a need of development of a particular National Standard.
2. Developing and submitting the proposed National standards to the competent standards bodies for consideration and adoption.
3. Participating in preparation of the draft National Standard as required and assigned by the State Standards Body.
4. Making comments for the draft National Standards.

Article 14. Revision

Section 3

1. National Standards Technical Committee is responsible for preparation of the Draft National Standards, commenting the Draft International Standards or dealing with the relevant technical issues regarding to preparation and application of standards as required by the State Standards Body.
2. National Standards Technical Committees consist of representatives from administrative agencies, scientific institutions, enterprises, socio-professional organizations, consumers associations, experts and individuals concerned.

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1. The line ministries preside and coordinate with the Ministry of Science and Technology to organize Draft National Standards preparation works
2. Based on the approved work program on National Standards preparation, the relevant National Standards Technical Committees exercises the preparation of the Draft National Standards under the current regulations and guidelines on standards preparation.

In case that organizations and individuals submit the proposed National Standards, the National Standards Technical Committee would use them as a basis for preparation of the Draft National Standards.

3. The State Standards Body has a responsibility to collect open comments on the Draft National Standards. A period of at least 60 days for the submission of comments on the draft TCVN shall be allowed before adopting the Draft National Stan

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1. TCVNs should be reviewed each 5 years or earlier if necessary.
2. The State Authorities who have power to issue National Standards should notify publicly on the amendment, substitution and cancellation made to the relevant National Stand3ional Staaesn14/t

3. Organizations adopted organization's standards have
all rights reserved to

- b) Voluntary contributions of organizations and individuals home and abroad.
- c) Others resources.

the Chairmen of Provincial or Municipal People's Committees may approve technical regulations based on needs of local socio-economic development needs after an agreement in written form reached with the State Authorities specified in Clause 1 of this Article and Ministry of Science and Technology.

Article 25. Work Program on Technical Regulation Preparation

1. The Technical Regulation Approving Bodies provided in Article 24 of this Ordinance should approve the Work Program on Technical Regulations Preparation after an agreement in written form reached with the Ministry of Science and Technology.
2. Within 30 days after approval, the Work Program on Technical Regulations Preparation must be published in journals, newsletters and/or websites of Approving Bodies.

Article 26. Regulation on Publication of Technical Regulations

scientific institutions, enterprises, socio-professional organizations, consumers associations, experts and individuals concerned.

2. Drafting Technical regulations Board should prepare the draft technical regulations under specified procedures.
3. The Approving Technical Regulations Bodies organize the collection of comments on the proposed technical regulations. A period of 60 days for the submission of comments shall be allowed since as a notice was made, however this period may be shortened in cases where urgent problems arise.
4. The Approving Technical Regulations Bodies consider comments from the related organizations and individuals, complete the draft technical regulations and dossier thereof.
5. The Approving Technical Regulations Bodies organize the verification of, and make decision on, the approval.

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1. Technical regulations takes effect 6 months after its publication
2. In case of arising or potentially arising urgent problems such as security, defence, safety, health and environment, this interval of time may be shortened under the decision by Heads of the Approving Technical Regulations Bodies as specified in Article 23 of this Ordinance.

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1. The Approving Technical Regulations Bodies take a responsibility for reviewing, amending, substituting and withdrawing technical regulations to comply with the needs of State management and the socio-economic, scientific and technological development.
2. The Approving Technical Regul

1. The Approving Technical Regulation Bodies must send technical regulations approved to the Ministry of Science and Technology for register and periodical publication of list of technical regulations.
2. The Approving Technical Regulation Bodies have a responsibility to publish and disseminate technical regulations.

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1. The Approving Technical Regulation Bodies have a responsibility for public notification of technical regulations on media, their magazines and website; disseminating, guiding and organizing the implementation of technical regulations
2. All organizations and individuals are responsible for applying technical regulations.
3. During the process of technical regulations application, organizations and individuals have to report timely the Approving Technical Regulations Bodies on inadequacies so that they could take these ones into account in further amendment, substitution or withdraw of the relevant technical regulations.

Within 30 days since as comments received, the Approving Technical Regulations Bodies shall have to response and detail the reasons.

At 33. Sb

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1. Technical regulations may be applied under forms as bellows:

- a) Applied directly or indirectly through other documents;
 - b) Used as bases of the conformity assessment procedures.
2. Coverage and procedures of conformity assessment are described in the Article 40, 41, 42, 43, 44 and 45 of this Ordinance.

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33. Rb b b b

1. Resources for technical regulations preparation may come from sources as follows:
 - a. State budget;
 - b. Voluntary contributions of organizations and individuals home and abroad;
 - c) Other sources.
2. Ministry of Finance in cooperation with Ministry of Science and Technology specifies rules on management and use of resources for technical regulations preparation.

Art 35. Gb d
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Ministry of Science and Technology specifies in details procedures of preparation, approval and application of technical regulations, and procedures of amendment, substitution and withdraw of technical regulations; guides on form and content of technical regulations.

Chapter IV Conformity assessment

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Standards conformity assessment

Art 36. Gb

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1. Standards conformity certification is carried out by an agreement between requesting organizations, individuals (hereafter referred as applicants) and Conformity Certification Bodies specified in Article 42 of this Ordinance
2. Certification standard(s) may be national, international, regional or foreign standards meeting criteria for certification standards.
3. The certification applicants shall have to pay certification fee.

Art 37. Rb d s
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1. Rights:
 - a. Free in choosing certification body;
 - b. Use standards certification mark directly on certified product, goods; package and documentation thereof.

c. Make complaints on violations of provisions in the agreement signed with certification body by law;

d. Other rights as specified by law.

2. Obligations:

a. Ensure the conformity of products, goods, processes and services with certification standards;

b. Demonstrate proper and adequate information of certified products, goods, processes or services given in standards conforming

or by independent certification bodies specified in clause 2, Article 41 of this Ordinance.

3. Organizations and individuals who declare regulations conformity shall have to regist their declaration form at the administrative competent authority.

Art 41. RgC

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1. Regulations conformity certification is mandatory for those products, goods, servises and processes belonging to the list of products, goods, servises and processes subject to regulations conformity certification specified in Article 43 of this Ordinance.
2. Regulations conformity certification bodies specified in Article 44 of this Ordinance will be designated by the competent administrative authority.

Minister of Science and Technology guides in details the criteria of designation for cetification body who carries out regulations conformity certification.

3. Regulations conformity certification body carries out regulations conformity certification under

c. Making complaints on violations of provisions of the agreement with certification bodies as specified by law.

d. Others rights as specified by law.

2. Obligations:

a. To ensure continuous conformity of products, goods, services and processes with the relevant technical regulations;

b. To properly and adequately use information given in regulations conformity certificate or regulations conformity declaration form on products, goods or packages thereof; and on documentation of certified or declared products, goods, services and processes.

c. To submit the documentation demonstrating the conformity of products, goods, services and processes with the relevant technical regulations to Goods Quality Inspection Bodies [if requested].

d. To suspend supplying products, goods, services and processes not complied with the relevant technical regulations by decision of the Goods Quality Inspection Bodies;

e. Other obligations as specified by law.

Art 43. Pd 6 Rb Cn
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Minister of Science and Technology stipulates procedures of Regulation Conformity Assessment; presides and coordinate with the Approving Technical Regulations Bodies as specified in Article 24 of this Ordinance in promulgation of the list of products, goods, services and processes subject to regulation conformity certification.

Section 3
conformity Certification body

Art 44. Cn CbBd

1. Conformity Certification Body is an organization carrying out standards, technical regulations

conformity certification for products, goods, services. and processes.

2. Conformity Certification Bodies may be:

a) Independent economic accounting organizations belonging to ministries, ministerial-level agencies and governmental specialized agencies;

b) Enterprises established by laws on enterprises

c) Foreign Certification Body Subsidiaries (branches) established in Vietnam under Trade Law for operating certification activities as specified in Certificate;

3. Conformity Certification Body shall be independent, impartial, and competent in management and technical infrastructure to meet criteria specified in relevant Vietnam Standard(s).

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1. Rights:

a) To grant standards conformity certificate or regulations conformity certificate to the applicants whose product, goods, service or process were certified as conformed to the relevant standard(s) or regulation(s).

Abbrev

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1. Objects:

- a) Laboratories;
- b) Measurement calibration laboratories;
- c) Conformity certification Body;
- d) Inspection Body.

2. Bases of accreditation are

- a) To ensure a principle of independence and impartiality in operation of accreditation.
- b) Carry out accreditation works in contract basis.
- c) Take full legal responsibility for their activities.

Article 49 Rights

Article 49

1. Rights:

- a) To carry out conformity assessment in accredited areas as stipulated by law;
- b) To have a priority (if any) in designation by the competent authority to fulfil regulation conformity assessment.
- c) To make complaints against the results of accreditation given by accreditation body specified in Article 47 of this Ordinance.

2. Obligations

- a) To register the accredited areas under the guide of Ministry of Science and Technology.
- b) To ensure the independence and impartiality in conformity assessment operations.
- c) To carry out conformity assessment in accordance with accredited area(s)
- d) To take full legal responsibility for their activities.
- e) To have other responsibilities as defined by law.

Article 50

The State encourages, and creates favorable conditions for, the accreditation body and certification bodies to participate in the bilateral and multilateral mutual recognition agreements on results of conformity assessments to facilitate trade cooperation between Vietnam and others countries.

Chapter V
Implementation Provisions

1. This Ordinance takes effect from date... month
... year ...

2. This Ordinance replaces the 1999 Ordinance on
Goods Quality.

3. The Government guides in details the
implementation of this Ordinance.

on behalf of the National Assembly Standing Committee
Chairman

Nguyen Van An