

Chairman's Decree No () of 2007 on the Regulation to Set Yemeni Standards

The Chairman:

With consideration to :

- Republican Decree on the Law No (3) of 2006 on the Cabinet,
- Law No. (44) of 1999 on Standardization, Metrology and Quality Control,
- Republican Decree No. (50) of 2000 Establishing YSMQCO,
- Republican Decree No. (50) of 2000 Establishing the Cabinet and Naming its Members,
- Republican Decree No. (51) of 2000 Appointing the Minister of Industry and Trade,
- Chairman's Decree No. (201) 2003 on the regulatory bylaw,

And under the presentation by the DG of YSMQCO

It is decided:

Chapter One

Section One

Definitions & Appellations

Article (1): This Decree shall be called "The Decree on the Regulation to Set Yemeni Standards".

Article(2): The following words and phrases shall have their corresponding meaning unless indicated otherwise in the context:

- Authority : The Yemeni Standardization, Metrology and Quality Control Organization.
- Board of Directors: YSMQCO board of directors.
- Chairman: Chairman of the board of directors of YSMQCO.
- Director General

whose compliance is not mandatory. By standard, we mean here the Yemeni Standard.

- Mandatory Standard (Technical Rule): A document which defines qualities of the product or service, its production methods and management systems . It might include as well terms, codes, data, packing and labeling in addition to the description card requirements which apply to the product, its production methods or which are restricted to any of them to which compliance is mandatory.
- Draft Standard: A proposed paper for a standard to receive comments by or to vote on by relevant agencies.
- Final draft : The draft standard in its final formulation.
- International Standard: A standard approved by an international organization for public use.
- Regional Standard: A standard approved by regional organization for public use.
- Adoption: Approval and publication of a standard document based on an international, regional or national standard for another country but with clear definition of technical differences which come up of the applied standard .
- Updating: Amendment (addition or emission) of certain parts of a specific standard's contents.
- Revision: The process to study a standard document to decide whether to be kept, amended, corrected, withdrawn or to be re-published.
- Correction: Removal of print and linguistic mistakes and other similar ones spelt out in the standard.
- Re-publishing: Re-printing of the standard without inserting any changes except the issuance date.
- Technical Committee (TC): A committee to be set up by the authority involving representatives of all agencies relevant to one of the

- 4- Testing standards and standardized methods for measurement equipment and instruments.
- 5- Standards related to terms, codes, definitions, measuring units ...etc.
- 6- Other standards of specific nature and apart from the above-mentioned ones.

Section Two

Key Objectives and Principles to Set Yemeni Standards

First: Objectives

Article(4): This regulation aims to achieve the following:

- 1- Regulating standard-setting.
- 2- Fulfilling standards is a recognized one for one of the key sectors of life like industry, trade and technology.
- 3- For the standard to be fully agreed upon by all stakeholders.
- 4- Fulfilling the national economic needs and to ensure the optimal benefit for the national economy.
- 5- Promoting standards and developing the most efficient economic practices and to leave the door open for development and innovation.

Second: Principles

Article (5): The following principles shall be considered while setting the standard:

- 1- To fulfill all conditions, to the best possible extent, within its competence area.
- 2- To be clear, precise and coherent.
- 3- To take into account preventing all risks of adulteration and deception.
- 4- To form no obstacle in the way of modern developments.
- 5- To be apprehensible for relevant persons and other who did not take part in its preparation.
- 6- To have compact style and format in terms of organization drafting, numbering and terminology according to "Manual of Yemeni Standards Formulation and Obtrusion".
- 7- The translated standard into Arabic should reflect the exact meaning of the foreign text.
- 8- To be set in an applicable manner.

9- The regional and international standa

Article (11): The standard for any commodity or material should indicate as well the necessary testing to ensure it conforms to the commodity.

Article (12): The national standard should not be written as to discriminate between products based on the country of origin.

Article (13): Standard requirements should be identified according to the performance and not design, or distinctive qualities to allow further technical development.

Chapter Two

Section One

Standard-setting Needs Assessment

Article (14): Criteria for standard-setting:-

While preparing the annual standardization program, the following criteria should be met:

- A- Existing industries
- B- Imported goods
- C- The State Five-Year Plan
- D- Needs and suggestions by producers, importers and consumers or other stakeholders.
- E- Needs by the government ministries and departments.
- F- Suggestions by regional standardization authorities.
- G- Suggestions by the standardization department in the authority, standardization committees, and individuals concerned with standardization activities, or suggestions by the authority's staff.
- H- Revision of the standards issued during the past five years to catch up with new technological developments and circumstances or to coordinate between regional and international standards (alignment between standards) to facilitate and promote trade, transfer of technology...etc.

Article (15): The Survey and questionnaire

A letter enclosed with a special form " Proposed draft standard" is to be sent to relevant agencies upon their request to get their suggestions ahead of preparing the annual standardization program. All proposals by respondents shall be collected and listed according to their priority to select topics of the program.

Article (16): Rules to prepare the standardization annual program:-

Priority topics selected for the annual program should be based on precise study for each suggestion separately under the following considerations:

First consideration: Objectives of the proposed standard and its expected outcome can be achieved through fulfilling one or more of the following goals, which form as a whole the first consideration:

- A- Common understanding
- B- Health, safety and environmental requirements.
- C- Certification (documentation)
- D- Diversification control

Second consideration: Government needs and requirements

Third consideration: Coordination with regional and international standardization authorities.

Fourth consideration: Economic factors

Fifth consideration: Available human and material capabilities

Sixth consideration: Relevance to other standards

Article (17): Priority issues to be included in the standardization program should be identified according to the considerations spelt out in article (16). Every topic that covers most of the above considerations is worthy to be set as a priority. It must be taken into account that all the six considerations vary in terms of importance.

Section Two

Committees' Setting up and Duties

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Chapter Three

Procedures to Implement the Annual Program, Select Committee Reporters and Defining their Duties

Article (22) after the approval of the standards program by the Director of Standardization Department and theification of the DG of the authority, the existing technical committees can be assigned with as much topics as possible. But if certain topics do not relate to their competence areas, new committees can be formed and technical reporters for them have to be selected.

Article (23): Technical reporters shall be selected from the staff of the Standardization Department under a decree by the DG of the Authority.

Article(24): Duties and Responsibilities of the Technical Committee's Reporter:

- 1- Preparation of the committee's agenda, its action plan and time schedule for and its duration.
- 2- To be in charge of all works and activities by the Committee and to To

10- Taking the necessary actions to copy, print correct and

Section Four

Stages and Steps to Yemeni Standards

Article (26): Desk Field Studies

The reporter of the Technical Committee shall conduct desk studies in order to collect documentation and information available related to the standards topic. He can pay field visits to competent agencies like production plant and the laboratory to gather information related to draft standards.

Article(27): If a regional, international or a national standard for another country exists or proposed by any standards-related agency but similar to the one proposed in the authority plan, the produced standard shall - after reformulating and translating it- be the draft standard to be set. It should then be registered and circulated to the relevant agencies by the reporter of the respective committee. Once comments are received, they should be discussed by the committee, but if no comments - during the given span of time – the committee then submits the draft for approval.

Article (28): Preparation of the Initial Draft:

The technical reporter shall prepare the standard initial draft taking into account guidelines related to the timing, formulation and obtrusion of the standard. Then, copies of the standard should be made. This can also be done by the TC under whose competence falls such assignment or by any other standardization-related agency. The TC shall consider the draft standard before either approves or rejects it.

Article (29): TC meetings:

The TC shall convene its first meeting under article (21) Para A and under article (21) Para B for periodical meetings.

Article (30): Draft standard:

After the committee finalizes studying and formulating of the draft standard, copies of it shall be made and distributed.

Article (31): Draft standard distribution and dissemination:

The draft standard shall be widely distributed and disseminated to all interested parties concerned with the draft standard using the different means like Internet and normal mail attached via covering letter. The purpose is to notify concerned parties on the content of the draft standard, inviting them to make in-depth study and to express their comments on it ahead of setting the final formulation of the standard to be publicly accepted. The covering letter enclosed with the draft shall indicate the given period to receive comments. If no comments received from the committee during the defined period, then, the draft standard shall be deemed accepted by the respective party.

Article (32):- Collection and Discussion of Comments:

The technical reporter shall receive comments and present them to the head of the TC for further discussion and consideration. The committee has the right to invite a technical representative from the agency commenting on the draft standard, when necessary. If the comments are accepted, they have to be presented to the entire TC.

Article (33): Final Draft:

After considering the incoming comments by the committee, the reporter shall prepare the final formulation of the draft, make enough copies of it and to prepare minutes showing the following:

- Draft name
- Name of the preparing committee
- Number of meetings held to prepare the draft
- List of agencies which received copies of the draft.
- Comments by agencies and subsequent recommendations
- Approved amendments to the draft

Chapter Six
Final Provisions

Article(34): The new standard shall be approved under a Board of Directors' decree.

Article(35): Standards related to sanitation, safety and protection of environmental use are mandatory (technical rules).

Article(36): An announcement via the appropriate mass media should be published indicating activities related to the new existing standards as well as standards under preparation and changes made to provide an opportunity for respective persons and agencies to participate in such an activity.

Article(37): Standards shall be revised with the objective to be corrected, updated, withdrawn, or re-issued, when necessary, and within a timeline not exceeding five years from the date of their approval.

Article (38): The Standardization Department in the authority shall prepare data related to the codes of approved Yemeni standards, their addresses, enforcement dates and their prices in the official gazette.

Article (39): The Information Center shall publish these data in two daily and widely -read newspapers for five consecutive days. are entitled to environment

Article (40): This regulation is followed by a manual called " the standard formulation and obtrusion, standard for design manual as well as methodic standardization manual.

Article (41): Members of the committee are entitled to session allowance against each organized meeting having minutes. Disbursement of these allowances shall be made according to an approved ArFgulat-up[(forPrinea

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