

Rwanda

## Law establishing Rwanda Standard Board (RSB) and Determining its Mission, Organisation and Functioning

Law 50 of 2013

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## Rwanda

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Published in Official Gazette 30 on 29 July 2013

**Assented to on 28 June 2013**

**Commenced on 29 July 2013**

*[This is the version of this document from 29 July 2013.]*

**We, KAGAME Paul,**

President of the Republic;

**THE PARLIAMENT HAS ADOPTED AND WE SANCTION, PROMULGATE THE FOLLOWING LAW AND  
ORDER IT BE PUBLISHED IN THE OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA**

### **THE PARLIAMENT:**

The Chamber of Deputies, in its session of 16 May 2013;

The Senate, in its session of 16 May 2013;

Pursuant to the Constitution of the Republic of Rwanda of 04 June 2003 as amended to date, especially in Articles 62, 66, 67, 88, 89, 90, 92, 93, 94, 95, 108, 183 and 201;

Pursuant to Organic Law n° 06/2009/OL of 21/12/2009 on general provisions governing Public Institutions as modified and complemented to date;

Pursuant to Organic Law n° 04/2005 of 08/04/2005 determining the modalities of protection, conservation and promotion of environment in Rwanda;

Having reviewed Law n° 3/2002 of 19/01/2002 creating the National Bureau of Standards;

Having reviewed Law n° 43/2006 of 05/10/2006 determining the responsibilities, organization and functioning of the Rwanda Bureau of Standards (RBS);

### **ADOPTS:**

## **Chapter One General provisions**

### **Article One – Purpose of this Law**

This Law establishes Rwanda Standard Board abbreviated as “RSB”. It also determines its mission, organization and functioning.

RSB shall have legal personality, administrative and financial autonomy and be governed in accordance with the laws governing Public Institutions.

## Article 2 – Definitions of terms

For the purpose of this Law, the following terms shall mean:

- 1° “**technical regulation**”: document that sets out technical requirements to be satisfied by a product or a service, either directly or by referring to standards or their content, compliance with which is mandatory;
- 2° “**certification**”: issue of a written statement based on analysis and testing, specifying that products, processes or systems have fulfilled specified requirements;
- 3° “**national standard**”: standard approved by RSB under this Law, compliance with which is not mandatory;
- 4° “**standard**”: document, established by consensus and approved by a competent organ that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context;
- 5° “**measurement standard**”: measuring instrument, reference material or measurement system intended to define, realize, conserve or reproduce a metrological unit or one or more values of a quantity to serve as a reference;
- 6° “**standardization**”: activity of establishing, with regard to actual or potential problems, provisions for common and repeated use, aimed at the achievement of the optimum degree of order in a given context;
- 7° “**testing**”: analysis and determination of the properties or elements of a product or its components through the application of established scientific principles and documents;
- 8° “**conformity assessment**”: demonstration that specified requirements relating to a product, process, system, operation, person or body are fulfilled. It includes testing, inspection and certification;
- 9° “**metrology**”: science of measurements, including scientific, industrial and legal metrology.

## Article 3 – Head office of RSB

The head office of RSB shall be located in the City of Kigali, the Capital of the Republic of Rwanda. It may be transferred elsewhere on the Rwandan territory if deemed necessary.

In order to fulfill its mission, RSB may have branches elsewhere in the country if deemed necessary, upon approval by a Prime Minister’s Order.

## Chapter II Mission of RSB

### Article 4 – Mission of RSB

RSB shall have the following main mission:

- 1° to establish and publish national standards;
- 2° to disseminate information on standards, technical regulations relating to standards and conformity assessment;
- 3° to raise awareness and promote the importance of standards and quality service as tools to improve market access, technology transfer and sustainable development;
- 4° to carry out research in the areas of standards and metrology for the setting up of measurement standards and reference materials in the field of chemical metrology;
- 5° to participate in monitoring standardization at national, regional and international level;
- 6° to participate in putting in place technical regulations relating to standards;

- 7° to provide products and quality service certifications and monitor conformity for issued certifications;
- 8° to provide legal, scientific and industrial metrology services;
- 9° to represent the country at the regional and international standardisation organizations;
- 10° to establish laboratories capable of conducting tests and offering testing services;
- 11° to act as reference laboratory in the quality domain;
- 12° to carry out measurement and comparison of proficiency with same level regional and international institutions;
- 13° to organize training programs in the area of standardization, metrology and conformity assessment;
- 14° to advise the Government on defining, devising and implementing the standardization policy;
- 15° to establish and develop relations and collaboration with other institutions at national, regional and international levels with similar mandate, whether public or private.

### **Chapter III**

#### **Supervising organ of RSB and its category**

##### **Article 5 – Supervising organ of RSB and its category**

A Prime Minister's Order shall determine the supervising organ of RSB and its category.

There shall be concluded between the supervising organ of RSB and its decision-making organ a performance contract determining competences, rights and obligations of each party in order for RSB to fulfill its mission. Such a contract shall be valid for a period equal to the term of office of the members of the decision-making of RSB.

### **Chapter IV**

#### **Organisation and functioning of RSB**

##### **Article 6 – Management organs of RSB**

RSB shall be comprised of the following two (2) management organs:

- 1 ° the Board of Directors;
- 2° the General Directorate.

A Prime Minister's Order may determine other relevant organs in order for RSB to fulfill its mission.

#### **Section One – Board of Directors**

##### **Article 7 – Board of Directors of RSB**

The Board of Directors of RSB shall be its governing and decision-making organ.

A Prime Minister's Order shall determine the competences, responsibilities and functioning of the Board of Directors as well as the term of office of its members.

Members of the Board of Directors including the Chairperson and the Deputy Chairperson shall be appointed by a Presidential Order.

Members of the Board of Directors shall be selected on the basis of their competence and expertise.

At least thirty per cent (30%) of the members of the Board of Directors shall be females.

### **Article 8 – Sitting allowances for members of the Board of Directors**

Members of the Board of Directors present in the meetings of the Board of Directors shall be entitled to sitting allowances determined by a Presidential Order.

### **Article 9 – Incompatibilities with membership of the Board of Directors**

Members of the Board of Directors shall not be allowed to perform any remunerated activity within RSB.

They shall also not be allowed, either individually or companies in which they hold shares, to bid for tenders of RSB.

## **Section 2 – General Directorate**

### **Article 10 – Composition of the General Directorate of RSB**

Members of the General Directorate of RSB shall be appointed by a Presidential Order.

Competences and responsibilities of the members of the General Directorate of RSB as well as modalities for performance of their duties shall be determined by a Prime Minister's Order.

### **Article 11 – Statute governing staff of RSB and benefits of members of the General Directorate and staff of RSB**

The staff of RSB shall be governed by the General Statute for Rwanda public Service.

Benefits allocated to members of the General Directorate and staff of RSB shall be determined in accordance with legal provisions governing benefits to employees of public institutions.

### **Article 12 – Organization, functioning and responsibilities of the organs of RSB**

The organization, functioning and responsibilities of the organs of RSB shall be determined by a Prime Minister's Order.

## **Chapter V Property and finance**

### **Article 13 – Property of RSB and its sources**

The property of RSB shall be comprised of movables and immovables.

The property of RSB shall come from the following sources:

- 1° State budget allocations;
- 2° State or partners' subsidies;
- 3° income from services rendered;
- 4° proceeds from its assets;
- 5° loans granted to RSB approved by the Minister in charge of Finance;
- 6° property formerly owned by RBS;

7° donations and bequests.

### **Article 14 – Use, management and audit of the property of RSB**

The use, management and audit of the property of RSB shall be carried out in accordance with relevant legal provisions.

The internal audit unit of RSB shall submit a report to the Board of Directors with a copy to the head of the General Directorate of RSB.

### **Article 15 – Approval and management of the budget of RSB**

The budget of RSB shall be approved and managed in accordance with relevant legal provisions.

### **Article 16 – Annual financial report**

Within three (3) months following the closure of the financial year, the head of the General Directorate of RSB shall submit the annual financial report to the supervising authority of RSB after its approval by the Board of Directors in accordance with laws governing the management of State finance and property.

## **Chapter VI Miscellaneous and final provisions**

### **Article 17 – Transfer of the property of RBS**

Movable and immovable property, liabilities and denomination of RBS are hereby transferred to RSB.

### **Article 18 – RBS former staff members**

RBS staff members who fulfill the requirements during the recruitment, shall be transferred to RSB in accordance with relevant legal provisions.

### **Article 19 – Drafting, consideration and adoption of this Law**

This Law was drafted in English, considered and adopted in Kinyarwanda.

### **Article 20 – Repealing provision**

Law n° 3/2002 of 19/01/2002 creating the National Bureau of Standards, Law n° 43/2006 of 05/10/2006 determining the responsibilities, organization and functioning of the Rwanda Bureau of Standards (RBS) and all prior legal provisions contrary to this Law are hereby repealed.

### **Article 21 – Commencement**

This Law shall come into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.